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9 Attorneys for Plaintiffs BMW of North America, LLC and
 Bayerische Motoren Werke AG

10 Ryan Moalemi
 11 6350 Nancy Ridge Drive, #104
 San Diego, CA 92121

12 Joshua Moalemi
 13 6350 Nancy Ridge Drive, #104
 San Diego, CA 92121

15 UNITED STATES DISTRICT COURT
 16 SOUTHERN DISTRICT OF CALIFORNIA

17 BMW OF NORTH AMERICA, LLC, et al.,

CASE NO. 08-CV-171 JM (WMC)

18 Plaintiffs,

**JOINT MOTION FOR ENTRY OF
 CONSENT PERMANENT INJUNCTION
 AS TO DEFENDANTS RYAN MOALEMI
 AND JOSHUA MOALEMI**

19 v.

20 EUROTECH WHEELS, LLC, et al.,

21 Defendants.

1 This is a Joint Motion by Plaintiffs BMW of North America, LLC and Bayerische Motoren
2 Werke AG (collectively "BMW") and Defendants Ryan Moalemi and Joshua Moalemi, by and
3 through their counsel of record, or as to Ryan Moalemi and Joshua Moalemi on behalf of
4 themselves, for an Order Entering the Consent Permanent Injunction as to Defendants Ryan
5 Moalemi and Joshua Moalemi.

6 WHEREAS, BMW filed a complaint against Eurotech Wheels, LLC, Eurotech Rims, LLC,
7 Ryan Moalemi and Joshua Moalemi alleging trademark infringement under the Federal Trademark
8 Act (the "Lanham Act"), 15 U.S.C. § 1114 and the common law of California; unfair competition
9 and false designation of origin under 15 U.S.C § 1125(a) and under the common law of California;
10 trademark counterfeiting under 15 U.S.C. § 1114(1); cybersquatting under 15 U.S.C. 1125(d);
11 unfair competition under Cal. Bus. & Profs. Code § 17200 *et seq.*; and as to the corporate
12 defendants, design patent infringement under 35 U.S.C. § 271;

13 WHEREAS, BMW and individual defendants Ryan Moalemi and Joshua Moalemi have
14 negotiated and agreed that a permanent injunction may be entered against Ryan Moalemi and
15 Joshua Moalemi;

16 WHEREAS, the terms and conditions of the permanent injunction are set forth in the
17 "Consent Permanent Injunction as to Defendants Ryan Moalemi and Joshua Moalemi" attached
18 hereto as Exhibit 1, which has been signed by the above-referenced movants.

19 NOW THEREFORE, the Parties hereby submit this Joint Motion, and request that the
20 Court issue an Order entering the Consent Permanent Injunction as to Defendants Ryan Moalemi
21 and Joshua Moalemi.

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Kirby Noonan Lance & Hoge LLP
350 Tenth Avenue, Suite 1300 San Diego, California 92101-8700

1 ///

2 DATED: July 9 2008

KIRBY NOONAN LANCE & HOGE LLP

3

4

By:

David J. Noonan, Esq. (55966)

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John G. Freremming, Esq. (Pro Hac Vice)
HOWREY LLP

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Counsel for Plaintiffs BMW of North America,
LLC and Bayerische Motoren Werke AG

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DATED: July 9, 2008

By:

RYAN MOALEMI

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DATED: July 9, 2008

By:

JOSHUA MOALEMI

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EXHIBIT 1

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9 Counsel for Plaintiffs BMW of North America, LLC
and Bayerische Motoren Werke AG

Ryan Moalemi
6350 Nancy Ridge Drive # 104
San Diego, CA 92121

12 Joshua Moalemi
13 6350 Nancy Ridge Drive # 104
San Diego, CA 92121

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

18 BMW of North America, LLC, et al..

Case No. 08-CV-171 JM (WMc)

Plaintiffs.

Y.

21 | Eurotech Wheels, LLC, et al

**CONSENT
PERMANENT INJUNCTION AS TO
DEFENDANTS RYAN MOALEMI
AND
JOSHUA MOALEMI**

24 This matter having been opened to the Court upon the Complaint of Plaintiffs
25 BMW of North America, LLC and Bayerische Motoren Werke AG (collectively,
26 "BMW") against Defendants Eurotech Wheels, LLC, Eurotech Rims, LLC, Ryan
27 Moalemi and Joshua Moalemi (collectively, "Eurotech") alleging trademark

**Case No. 08-CV-171 JM (WMc)
CONSENT PERMANENT INJUNCTION**

1 infringement under the Federal Trademark Act (the "Lanham Act"), 15 U.S.C. § 1114
 2 and the common law of California; unfair competition and false designation of origin
 3 under 15 U.S.C. § 1125(a) and under the common law of California; trademark
 4 counterfeiting under 15 U.S.C. § 1114(1); unfair competition under Cal. Bus. & Prof. s.
 5 Code § 17200 *et seq.*; and, as to the corporate defendants, design patent infringement
 6 under 35 U.S.C. §271;

7 Ryan and Joshua Moalemi,

8 a) having allegedly advertised and sold wheels in violation of BMW's
 9 trademark and design patent rights;

10 b) having represented and warranted that Eurotech Wheels, LLC's only
 11 warehouses for wheels that fit BMWs are three located at 6350 Nancy Ridge Road,
 12 Suite #104, San Diego, CA 92121, and that it has no parent, subsidiary, or affiliated
 13 businesses of any kind that are involved in wheels for BMWs;

14 c) having represented and warranted that each of them has no
 15 challenged wheel designs in his personal possession, custody or control; that the only
 16 other business(es) involving wheels for BMW in which either of them is involved is
 17 Eurotech Wheels, LLC; and that no other business, person or entity with which either of
 18 these individuals has any involvement (except Eurotech Wheels LLC, which is a party
 19 to the contemporaneous Consent Judgment) has any challenged wheel designs or any
 20 wheels for BMWs in its possession, custody or control;

21 d) having represented and warranted that the defendants' total sales of
 22 challenged wheel designs and profit thereon are \$20,000 and \$10,000, respectively; and
 23 that their total sales of wheel bearing BMW's Roundel or M-stripes logo and profit
 24 thereon are \$20,000 and \$10,000, respectively;

25 e) without admitting any liability, and expressly denying same, solely
 26 to avoid the expense and distraction of protracted litigation, and wishing to settle their
 27 dispute with BMW amicably; and

28

1 f) California residents residing at 777 6th Ave., San Diego, CA 92101
2 and 6364 El Sicomoro, Rancho Santa Fe, CA 92067, respectively; and having
3 acknowledged the jurisdiction of this Court over them and the subject matter hereof;

4 With the consent of BMW and Ryan and Joshua Moalemi, and for good cause, IT
5 IS DECLARED AND HEREBY ADJUDGED that:

6 This Court has jurisdiction over the subject matter hereof;

7 BMW has extensively used and advertised its "Roundel" logo, M-Stripes logo
8 and "BMW" word mark in connection with its business of designing, manufacturing,
9 distributing, offering for sale and selling motor vehicles, wheels and other goods and
10 services;

11 BMW is the exclusive owner of valid and subsisting federal trademark
12 registrations, including incontestable trademark registrations for its BMW "Roundel"
13 logo, M-Stripes logo and "BMW" word mark (*see Exhibit A hereto*), and BMW's
14 Roundel logo and "BMW" word mark are famous; and

15 BMW AG is the owner of various valid and lawfully issued United States Design
16 Patents for designs of vehicle wheels, including but not limited to U.S. Design Patent
17 Nos. 515,491; 514,999; 504,382; 493,404; 470,093; 532,358; 558,114; 560,585;
18 528,962; and 449,028 (collectively, the "BMW design patents") (*see Exhibit B*), and
19 BMW NA is the licensee of said patents in the United States.

20 With the consent of BMW and Ryan and Joshua Moalemi, and for good cause, IT
21 IS HEREBY ORDERED, ADJUDGED AND DECREED that:

22 1. Ryan and Joshua Moalemi, their agents, servants, employees,
23 representatives, partners, successors, assigns, attorneys-in-fact, and all those persons in
24 active concert or participation with them who receive actual notice of this Consent
25 Permanent Injunction by personal service or otherwise, and each of them, be and hereby
26 are permanently enjoined and restrained from:

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1 A. Manufacturing, ordering, accepting orders for, accepting shipment or
2 delivery of, warehousing, manufacturing, importing, advertising or displaying (on
3 the Internet or otherwise), marketing, promoting, offering for sale, selling or
4 otherwise distributing, any wheels depicting, bearing, or in connection with
5 BMW's Roundel or M Stripes logo (whether standing alone or on a wheel center
6 cap or other tangible item), or any colorable imitations thereof;

7 B. Depicting BMW's Roundel or M stripes logo, or any other BMW
8 logo, in Eurotech's advertising, or making any trademark use of the "BMW"
9 word mark, or colorable imitation thereof on or in connection with advertising,
10 offering for sale, displaying, selling, or otherwise distributing wheels, including
11 but not limited to using the phrase "BMW wheels" or the like in connection with
12 its Internet- or other advertising or sales. Metatags, keywords or keyword
13 advertising may not include the phrase "BMW wheels," "BMW rims," "M3
14 wheels," "M3 rims," "328 wheels," "328 rims" or the like, and may not otherwise
15 create a likelihood of confusion as to any connection between BMW and
16 Eurotech, or as to the source, sponsorship, or approval of BMW's or Eurotech's
17 goods. They shall cancel Eurotech's registration of www.eurotechbmw.com and
18 shall cease and desist from registering or using any domain name containing
19 "BMW" or any other BMW Group mark;

20 C. Any trademark use of any other BMW Group trademark or colorable
21 imitation thereof;

22 D. Doing any other act or thing, directly or indirectly, that is 1) likely to
23 confuse, mislead, or deceive others into believing that Ryan Moalemi, Joshua
24 Moalemi, Eurotech Wheels, Eurotech Rims, or any other person or entity or any
25 of their products or services is connected with, affiliated with, sponsored by,
26 licensed by, or approved by BMW; or that is 2) likely to dilute BMW's Roundel
27 logo or "BMW" word mark;

1 E. Manufacturing, importing, ordering, accepting orders for, accepting
 2 shipment or delivery of, warehousing, advertising, displaying, marketing,
 3 promoting, offering for sale, selling, trading, disposing of for commercial gain, or
 4 otherwise distributing the wheel models identified in Exhibit C hereto, or any and
 5 all other wheels that are covered by the BMW U.S. Design Patent Nos. 515,491;
 6 514,999; 504,382; 493,404; 470,093; 532,358; 558,114; 560,585; 528,962; or
 7 449,028.

8 2. Ryan and Joshua Moalemi may make a "fair use" or "nominative use"
 9 textual reference, in the identical font, format, size, and color as, and no more
 10 prominently than the surrounding text, to "BMW" or to other BMW word marks solely
 11 to communicate truthfully that certain Eurotech wheels identified prominently as
 12 Eurotech wheels and/or by their third party supplier or manufacturer "fit BMWs" or are
 13 "for BMWs," or fit or are for specific BMW models (such as the M3). No BMW word
 14 mark may appear in any of their product or service names.

15 3. Ryan and Joshua Moalemi shall, within thirty (30) days of entry of this
 16 Consent Permanent Injunction, notify in writing, with a copy to BMW, any and all third
 17 parties with which Ryan or Joshua Moalemi, Eurotech Wheels, Eurotech Rims, or any
 18 other person or entity with which either them is involved have placed advertisements
 19 using BMW's Roundel logo, M-Stripes logo or trademark use of the "BMW" word
 20 mark, that such usage in advertisements must be removed immediately.

21 4. Ryan and Joshua Moalemi shall, within thirty-five (35) days of entry of this
 22 Consent Permanent Injunction, certify personally in a sworn written statement their
 23 compliance with and completion of those actions ordered by paragraphs 1 and 3 herein.

24 5. This Court shall retain jurisdiction of this matter and over the parties
 25 thereto for the purpose of enforcing the terms of this Consent Permanent Injunction.
 26 The parties acknowledge that a breach of this Consent Permanent Injunction by Ryan or
 27 Joshua Moalemi would result in immediate and irreparable injury to BMW, and that it

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1 would be difficult or impossible to establish the full monetary value of such damage,
 2 and that BMW would be entitled to reimbursement of its reasonable attorney's fees and
 3 costs.

4 6. Ryan and Joshua Moalemi shall immediately provide a copy of this
 5 Consent Permanent Injunction to any and all of their partners, employees, agents,
 6 servants, representatives, successors, and assigns, and any companies in which either of
 7 them is involved.

8 7. In the event that Eurotech Wheels fails to timely pay the concurrently
 9 agreed-upon \$25,000.00 to BMW, Ryan and Joshua Moalemi shall be jointly and
 10 severally liable to BMW for that amount, to be paid immediately to BMW by wire in
 11 care of Howrey LLP General Escrow account at Citibank FSB Washington, DC,
 12 account number 3700-5235, routing number 254070116, identifying on the wire transfer
 13 instructions that Eurotech is the party sending the wire.

14 8. Within ten days of the entry of this Permanent Injunction, Ryan and Joshua
 15 Moalemi shall identify, in writing and with specificity, each of their sources, by
 16 company name and address, telephone number, principal individual contact, shipper,
 17 broker or other purchasing agent, shipping location, and port of entry for each of its
 18 wheels accused of design patent infringement. Ryan and Joshua Moalemi shall also
 19 provide representative transactional documents sufficient to identify each of their
 20 different sources of such wheels.

21 9. In accordance with § 34 of the Federal Trademark Act, 15 U.S.C. § 1116,
 22 the Clerk of the Court shall notify the Commissioner of Patents and Trademarks of the
 23 entry of this Consent Permanent Injunction who shall enter it upon the records of the
 24 United States Patent and Trademark Office.

25 10. There being no just reason for delay, the Clerk of this Court is hereby
 26 directed to enter this Consent Permanent Injunction forthwith.
 27

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1 The parties, through their undersigned counsel, hereby consent to the entry of the
2 foregoing Consent Permanent Injunction and waive any and all rights of appeal.
3

4 Ryan Moalem
5 Ryan Moalem

July 1, 2008

6 Jeh Uo Moalem
7 Jeh Uo Moalem

July 3, 2008

8 David J. Noonan
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July 3, 2008

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23 Counsel for Plaintiffs BMW of North America, LLC
24 and Bayerische Motoren Werke AG

25 IT IS SO ORDERED.

26 Dated: July _____, 2008

27 _____
28 United States District Judge

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Case No. 08-CV-171 JM (WMC)
CONSENT PERMANENT INJUNCTION

DM_US:21295976_1

EXHIBIT A

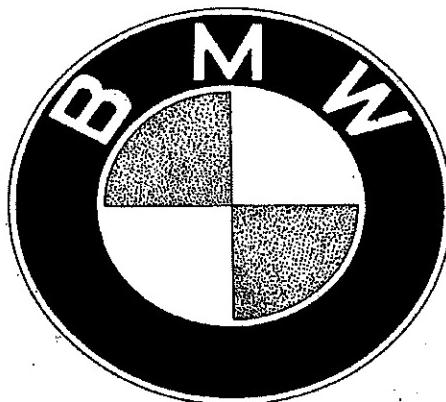
Int. Cls.: 37 and 42

Prior U.S. Cls.: 101 and 103

United States Patent and Trademark Office

Reg. No. 1,170,556
Registered Sep. 22, 1981

SERVICE MARK
Principal Register



Bayerische Motoren Werke Aktiengesellschaft (Fed.
Rep. of Germany joint stock company)
8000 München 40, Fed. Rep. of Germany

For: REPAIR AND MAINTENANCE SERVICES FOR MOTOR VEHICLES AND MOTOR VEHICLE ENGINES, in CLASS 37 (U.S. CL. 103).

First use 1918; in commerce Feb. 1949.

For: RETAIL MOTOR VEHICLE AND MOTOR VEHICLE ENGINE DEALERSHIP SERVICES, in CLASS 42 (U.S. CL. 101).

First use 1918; in commerce Feb. 1949.

Owner of U.S. Reg. Nos. 611,710 and 613,465.

The stippling shown in the mark on the drawing is to indicate shading, but not color.

Ser. No. 205,383, filed Feb. 27, 1979.

J. C. DEMOS, Deputy Director

JAMES H. JOHNSON, Examiner

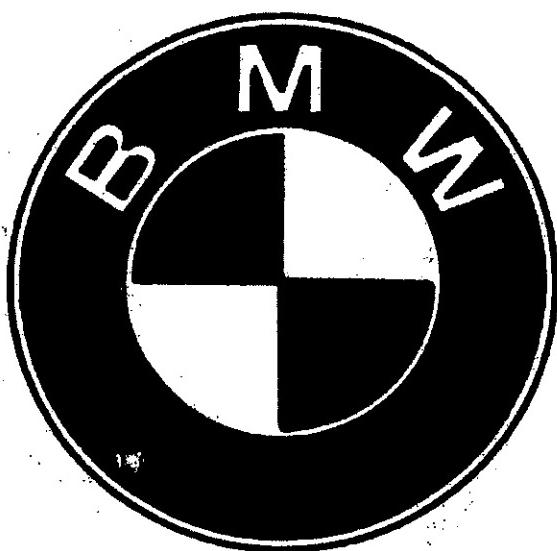
Int. Cls.: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 16, 17, 18, 20, 21, 22, 24, 25,
26, 27, 28, 34, 35, 36, 37, 39, 41 and 42

Prior U.S. Cls.: 1, 2, 3, 5, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22,
23, 25, 26, 27, 28, 29, 30, 32, 33, 34, 35, 37, 38, 39,
41, 42, 50, 100, 101, 102, 103, 105, and 107

Reg. No. 1,450,212

United States Patent and Trademark Office Registered Aug. 4, 1987

TRADEMARK
SERVICE MARK
PRINCIPAL REGISTER



BAYERISCHE MOTOREN WERKE AKTIENGE-
SELLSCHAFT (FED REP GERMANY COM-
PANY)

130 PETUELRING
D-8000 MUNICH 40, FED REP GERMANY

FOR: INDUSTRIAL CHEMICALS, FIRE EX-
TINGUISHING COMPOSITIONS; TEMPERING
AND SOLDERING PREPARATIONS; INDUS-
TRIAL ADHESIVES; ALL FOR USE IN THE
AUTOMOTIVE INDUSTRY, IN CLASS 1 (U.S.
CLS. 5 AND 6).

FOR: PAINTS; VARNISHES; LACQUERS;
PRESERVATIVES AGAINST RUST AND
AGAINST DETERIORATION OF WOOD;
DYES; MORDANTS FOR WOOD; COLORING
MORDANTS FOR LEATHER; METALS IN
FOIL AND POWDER FORM FOR PAINTERS,
DECORATORS, PRINTERS AND ARTISTS;
ALL FOR USE IN THE AUTOMOTIVE INDUS-
TRY, IN CLASS 2 (U.S. CLS. 6, 14 AND 16).

FOR: BLEACHING PREPARATIONS AND
OTHER LAUNDRY SUBSTANCES; CLEANING,
POLISHING, SCOURING AND ABRASIVE
PREPARATIONS; SOAPS; PERFUMERY; ES-

SENTIAL OILS; COSMETICS; HAIR LOTIONS, IN CLASS 3 (U.S. CLS. 51 AND 52).

FOR: INDUSTRIAL OILS AND GREASES; LUBRICANTS; DUST-ABSORBING, WETTING AND BINDING COMPOSITIONS; SOLID, LIQUID AND GASEOUS FUELS (INCLUDING MOTOR SPIRIT); ILLUMINANTS; CANDLES; WICKS; ALL FOR USE IN THE AUTOMOTIVE INDUSTRY, IN CLASS 4 (U.S. CL. 15).

FOR: FULL LINE OF PHARMACEUTICAL, VETERINARY AND SANITARY PREPARATIONS; PLASTERS, MATERIALS FOR DRESSINGS; FIRST-AID KITS; FIRST-AID CUSHIONS; DISINFECTANTS, IN CLASS 5 (U.S. CL. 18).

FOR: CONSTRUCTION MATERIALS OF METAL; TRANSPORTABLE BUILDINGS OF METAL; NON-ELECTRIC CABLES AND WIRES OF COMMON METAL; IRONMONGERY; SMALL ITEMS OF METAL HARDWARE; PIPES AND TUBES OF METAL; SAFES; GOODS OF COMMON METAL, NAMELY, CASH BOXES, TOOL BOXES, IDENTIFICATION PLATES AND REINFORCEMENTS THEREFOR; TRANSPORT CONTAINERS AND TANKS; ALL FOR USE IN THE AUTOMOTIVE INDUSTRY, IN CLASS 6 (U.S. CLS. 2, 12, 15 AND 25).

FOR: METAL-, WOOD-, PLASTICS-WORKING MACHINES; MACHINES FOR THE AUTOMOTIVE INDUSTRY; TIRE MOUNTING MACHINES; FOUNDRY MACHINES; LIFTING APPARATUS; CRANES; VARNISHING MACHINES; POLISHING MACHINES (OTHER THAN FOR HOUSEHOLD PURPOSES); PRESSES (MACHINES); SHARPENING MACHINES; WELDING MACHINES; GENERATING UNITS CONSISTING OF INTERNAL COMBUSTION ENGINES AND ELECTRIC GENERATORS; ELECTRIC GENERATORS; WASHING MACHINES AND PARTS THEREOF; MACHINE TOOLS AND THEIR PARTS; ENGINES (EXCEPT FOR LAND VEHICLES) AND PARTS THEREOF; IGNITION DEVICES FOR INTERNAL COMBUSTION ENGINES AND PARTS THEREOF; CARBURETORS; FUEL INJECTION PUMPS; TRANSMISSIONS, CLUTCHES AND DRIVE BELTS (EXCEPT FOR LAND VEHICLES) AND PARTS THEREOF, IN CLASS 7 (U.S. CLS. 21, 23 AND 35).

FOR: HAND TOOLS (HAND OPERATED); HAND OPERATED IMPLEMENTS FOR THE CONSTRUCTION OF MACHINES; APPARATUS AND VEHICLES; MANUALLY OPERATED LIFTING JACKS; CUTLERY, FORKS AND SPOONS; SIDE ARMS; RAZORS; ALL FOR USE IN THE AUTOMOTIVE INDUSTRY, IN CLASS ^ (U.S. CLS. 9 AND 23).

FOR: ELECTRICAL APPARATUS AND INSTRUMENTS FOR POWER FIELD, NAMELY FOR THE FIELDS OF CONDUCTION, TRANSFORMATION, STORAGE, REGULATION AND CONTROL; ELECTRICAL APPARATUS AND INSTRUMENTS FOR LOW CURRENT FIELDS, NAMELY FOR THE FIELDS OF TELECOMMUNICATION, HIGH-FREQUENCY AND REGULATION; ELECTRIC SOLDERING APPARATUS; PHOTOGRAPHIC, CINEMATOGRAPHIC, OPTICAL, MEASURING, SIGNALLING, MONITORING, LIFE-SAVING AND TEACHING APPARATUS AND INSTRUMENTS; CLOTHING FOR PROTECTION AGAINST FIRE AND ACCIDENTS, INCLUDING FOOTWEAR, PROTECTIVE HELMETS, PROTECTIVE EYEGLASSES, SUNGLASSES; APPARATUS FOR RECORDING, TRANSMISSION OR REPRODUCTION OF SOUND OR IMAGES; MAGNETIC DATA CARRIERS; RECORDING DISCS; AUTOMATIC VENDING MACHINES AND MECHANISMS FOR COIN-OPERATED APPARATUS; CASH REGISTERS; CALCULATING MACHINES AND DATA PROCESSING EQUIPMENT; FIRE-EXTINGUISHING APPARATUS, IN CLASS 9 (U.S. CLS. 21, 26 AND 39).

FOR: APPARATUS FOR LIGHTING, HEATING, STEAM GENERATING, COOKING, REFRIGERATING, DRYING, VENTILATING AND WATER SUPPLY; ALL FOR USE IN THE AUTOMOTIVE INDUSTRY, IN CLASS 11 (U.S. CLS. 13 AND 34).

FOR: LAND, AIR AND WATER VEHICLES AND PARTS THEREOF NOT INCLUDED IN OTHER CLASSES; ENGINES; COUPLINGS AND DRIVE BELTS FOR LAND VEHICLES AND PARTS THEREOF; VEHICLE REGISTRATION PLATES; TOW HOOKS; STARTERS; EXHAUST PIPES AND MUFFLERS; EXHAUST SYSTEMS COMPOSED OF EXHAUST PIPES AND MUFFLERS; BRAKES; CHASSIS; DIRECTIONAL SIGNALS; VEHICLE AXLES; VEHICLE SEATS; SUSPENSIONS; WINDOWPANES; WINDSHIELDS; TRANSMISSIONS FOR LAND VEHICLES; HORNS; CAR BODIES AND PARTS THEREOF; STEERING LINKAGES; STEERING GEARS; STEERING WHEELS; AIR GUIDE DEVICES, NAMELY, SPOILERS AND AIR GUIDE WINGS; WHEELS; PNEUMATIC TIRES; RIMS FOR VEHICLE WHEELS; VALVES FOR VEHICLE TIRES; MIRRORS; SHOCK ABSORBERS; VEHICLE BUMPERS; IGNITION DEVICES FOR LAND VEHICLE ENGINES AND PARTS THEREFOR; VEHICLE ACCESSORIES, NAMELY, TOW ROPES, TOW RODS, TRAILER HITCHES, BURGLAR ALARMS, THEFT PROTECTION DEVICES, MATS, BAGGAGE CARRIERS, ANTI-SKID CHAINS, HEAD RESTS,

AIR PUMPS, MUDGUARDS, SAFETY BELTS, SAFETY CUSHIONS, SAFETY SEATS FOR CHILDREN, SKI CARRIERS, SUN VISORS, SUN PROTECTING GLASS PANES, SUN BLINDS, SURFBOARD MOUNTING SUPPORTS, WARNING SIGNS, HAZARD WARNING LAMPS, WIND DEFLECTORS, BODY TRIMS, STRIPES, ACCESSORY CASES; CIGAR LIGHTERS AND CIGARETTE LIGHTERS FOR AUTOMOBILES; ACCESSORIES FOR MOTORCYCLES, NAMELY, THEFT PROTECTION DEVICES, REPAIR KITS FOR TIRES, TWO-WAY COMMUNICATION SETS, BAGGAGE CONTAINERS, SUITCASE AND BAGGAGE CARRIERS, AIR PUMPS, SADDLEBAGS, ROLL BARS, TANK RUCKSACKS, TANK BAGS AND POCKETS, COVERINGS; RUDDERS AND SCREWS (PROPELLERS) FOR SHIPS, IN CLASS 12 (U.S. CLS. 2, 13, 19, 21 AND 23).

FOR: GOODS IN PRECIOUS METALS, THEIR ALLOYS OR GOODS COATED THEREWITH, NAMELY, HANDCRAFTED ARTICLES, ORNAMENTAL ARTICLES, TABLE WARE (EXCEPT TABLE CUTLERY), EPERGNES, ASH TRAYS, TOBACCO BOXES, BOXES FOR CIGARS AND CIGARETTES, CIGAR AND CIGARETTE HOLDERS; JEWELRY; PRECIOUS STONES; HOROLOGICAL AND CHRONOMETRIC INSTRUMENTS, IN CLASS 14 (U.S. CLS. 27 AND 28).

FOR: PAPER; CARDBOARD; AND GOODS MADE FROM PAPER AND CARDBOARD, NAMELY, FACE TOWELS, TABLE NAPKINS, FILTER PAPER, POCKET HANDKERCHIEFS, HYGIENIC PAPER, BABIES' NAPKINS, CASES AND BAGS FOR PACKAGING, BADGES, TRANSFER-PICTURES, PLAQUES, STICKERS, LABELS, SELF-ADHESIVE PLASTIC SHEETS FOR DECORATIVE PURPOSES, PRINTED MATTER; PHOTOGRAPHS; STATIONERY; ADHESIVES FOR STATIONERY OR HOUSEHOLD PURPOSES; PAINT BRUSHES; TYPEWRITERS AND OFFICE REQUISITES (EXCEPT FURNITURE), NAMELY, NON-ELECTRIC APPARATUS; INSTRUCTIONAL AND TEACHING MATERIAL (EXCEPT APPARATUS) IN THE FORM OF PRINTED MATTER; GAMES; GLOBES; DRAWING INSTRUMENTS FOR BLACKBOARDS; PLASTIC MATERIALS FOR PACKAGING, NAMELY, ENVELOPES, BAGS AND FILMS; PLAYING CARDS; PRINTERS' TYPE; PRINTING BLOCKS, IN CLASS 16 (U.S. CLS. 37 AND 38).

FOR: GOODS MADE OF RUBBER, GUTTA-PERCHA OR GUM, NAMELY, THREADS OF RUBBER (NOT FOR TEXTILE USE), INSULATING GLOVES, WASHERS, SHOCK-ABSORBING BUFFERS, RINGS, PIPE AND HOSE CONNEC-

TION PARTS; PACKAGING AND PADDING MATERIALS; GOODS MADE OF ASBESTOS, NAMELY, WALL-COVERINGS, PACKING, CLOTH, ASBESTOS PAPER OR MILL BOARDS, SOLES; GOODS MADE OF MICA, NAMELY, INSULATING PLATES; PACKING, SEALING AND INSULATING MATERIALS; FLEXIBLE PIPES (NOT OF METAL), IN CLASS 17 (U.S. CLS. 1 AND 35).

FOR: GOODS MADE OF LEATHER OR OF LEATHER IMITATIONS, NAMELY, HANDBAGS AND GENERAL PURPOSE CASES, IN PARTICULAR PURSES, POCKET WALLETS, KEY CASES; ANIMAL SKINS AND HIDES; TRUNKS AND TRAVELLING BAGS; UMBRELLAS, PARASOLS AND WALKING STICKS; SADDLERY, IN CLASS 18 (U.S. CLS. 3 AND 41).

FOR: FURNITURE; MIRRORS; PICTURE FRAMES; GOODS MADE OF WOOD OR WOOD SUBSTITUTES, NAMELY, CASES, TRANSPORT PALLETS, VATS AND SPIGOTS, TOOL HANDLES, REELS FOR YARN, COAT HANGERS, CLOTHES-PEGS, WORKS OF ART, DECORATIVE OBJECTS; GOODS OF CORK, REED, CANE, WICKER, HORN, BONE, IVORY, WHALEBONE, SHELL, AMBER, MOTHER-OF-PEARL, MEERSCHAUM AND SUBSTITUTES FOR ALL THESE MATERIALS; GOODS MADE OF PLASTICS, NAMELY, TRANSPORT CONTAINERS, VATS, TANKS, RIVETS, SCREWS, PINS, SIGNBOARDS, BADGES, TRANSFER-PICTURES, STICKERS, LABELS, PLAQUES, FURNITURE, WINDOW AND DOOR FITTINGS, CURTAIN RODS, CURTAIN HOOKS, SLATTED INDOOR BLINDS, COVERS FOR CLOTHING, COAT HANGERS, CLOTHES-PEGS, BOTTLE CLOSURES, KEY PENDANTS, IN CLASS 20 (U.S. CLS. 2, 13, 32 AND 50).

FOR: SMALL HAND-OPERATED HOUSEHOLD OR KITCHEN APPARATUS AND INSTRUMENTS; HOUSEHOLD OR KITCHEN CONTAINERS (NOT OF PRECIOUS METAL OR COATED THEREWITH); COMBS AND SPONGES; BRUSHES (EXCEPT PAINT BRUSHES); CLEANING IMPLEMENTS; STEEL WOOL; UNWORKED OR SEMI-WORKED GLASS (EXCEPT GLASS USED IN BUILDING); GLASSWARE, PORCELAIN AND EARTHENWARE FOR HOUSEHOLD AND KITCHEN; WORKS OF ART MADE OF GLASS, PORCELAIN OR EARTHENWARE, IN CLASS 21 (U.S. CLS. 2, 13, 29, 30 AND 33).

FOR: ROPES; STRING; FISHING NETS; TENTS; AWNINGS; TARPAULINS; SAILS; PADDING AND STUFFING MATERIALS (EXCEPT OF RUBBER OR PLASTICS); RAW FIBROUS TEXTILE MATERIALS, IN CLASS 22 (U.S. CLS. 1, 7 AND 22).

FOR: TEXTILES AND TEXTILE GOODS, NAMELY, CLOTHS, CURTAINS, BLINDS, HOUSEHOLD LINEN, TABLE LINEN, BED LINEN; COLORS; FLAGS; PENNANTS; BADGES OF CLOTH; TRAVELLING BLANKETS; TRAVELLING PLAIDS; BED AND TABLE COVERS, IN CLASS 24 (U.S. CL. 42).

FOR: CLOTHING INCLUDING ELECTRICALLY HEATED CLOTHING; FOOTWEAR; HEADGEAR; ALL FOR USE IN THE AUTOMOTIVE INDUSTRY, IN CLASS 25 (U.S. CL. 39).

FOR: LACE AND EMBROIDERY; RIBBONS AND BRAID; BUTTONS; HOOKS AND EYES; PINS AND NEEDLES; SEW-ON LABELS; PIN BADGES; BADGES WITH SAFETY PINS; BUTTONHOLE BADGES; BELT CLASPS; ARTIFICIAL FLOWERS, IN CLASS 26 (U.S. CL. 40).

FOR: CARPETS; RUGS; MATS AND MATTING; LINOLEUM AND FLOOR COVERINGS OF RUBBER, PLASTICS OR TEXTILE, IN CLASS 27 (U.S. CLS. 19, 42 AND 50).

FOR: GAMES AND PLAYTHINGS; EXERCISING APPARATUS; SKI, TENNIS AND FISHING EQUIPMENT; SKI, CRICKET AND GOLF BAGS, IN CLASS 28 (U.S. CLS. 2 AND 22).

FOR: SMOKERS' ARTICLES, NAMELY, TOBACCO TINS, CIGAR AND CIGARETTE HOLDERS, CIGAR AND CIGARETTE CASES, ASHTRAYS (NOT OF PRECIOUS METALS) THEIR ALLOYS OR COATED THEREWITH, PIPE STANDS, PIPE CLEANERS, CIGAR CUTTERS, PIPES, LIGHTERS, POCKET APPARATUS FOR ROLLING CIGARETTES, CIGARETTE PAPER, CIGARETTE FILTERS, MATCHES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

FOR: ADVERTISING AND BUSINESS, NAMELY, MANAGEMENT CONSULTING; PROCUREMENT OF CONTRACTS FOR THE PURCHASE AND SALE OF GOODS; PUBLICITY SERVICES, IN CLASS 35 (U.S. CL. 101).

FOR: INSURANCE AND FINANCIAL, NAMELY, CREDIT CONSULTING, CREDIT BROKERAGE, REAL ESTATE MANAGEMENT AND APARTMENT HOUSE MANAGEMENT, REAL ESTATE AGENCIES, LEASING; INSURANCE BROKERAGE, IN CLASS 36 (U.S. CLS. 101 AND 102).

FOR: CONSTRUCTION AND REPAIR, NAMELY, CONSTRUCTION (ABOVE OR BELOW GROUND), CONSTRUCTION BY ENGINEERS, REPAIR OF BUILDINGS, REPAIR AND MAINTENANCE OF MOTOR VEHICLES AND MOTORS, IN CLASS 37 (U.S. CL. 103).

FOR: TRANSPORTATION AND STORAGE, NAMELY, TRANSPORT OF PERSONS AND GOODS, BY MOTOR VEHICLES, BY RAILWAYS, VESSELS AND AIRPLANES; ARRANGING OF TOURS; TRAVEL AGENCIES; AGENCIES FOR TRANSPORT OF PERSONS; ORGANIZATION OF SIGHTSEEING TOURS; ESCORTING OF TRAVELLERS; MOTOR CAR RENTAL, IN CLASS 39 (U.S. CL. 105).

FOR: EDUCATION AND ENTERTAINMENT, NAMELY, EDUCATION, AND EDUCATIONAL COURSES FOR WORKERS, SKILLED WORKERS, WHITE COLLAR WORKERS, ENGINEERS, MANAGERS AND OTHER STAFF MEMBERS OF THIRD PARTIES; INSTRUCTION IN DRIVING; INSTRUCTION IN SPORTS; MUSEUM SERVICES; MUSIC PERFORMANCES; THEATRE PERFORMANCES; PRESENTATION OF ART EXHIBITIONS; PRESENTATION OF SPORT COMPETITIONS; PUBLICATION AND ISSUING OF BOOKS, JOURNALS AND MAGAZINES, IN CLASS 41 (U.S. CLS. 101 AND 107).

FOR: MISCELLANEOUS, NAMELY, NEGOTIATION AND SETTLEMENT OF COMMERCIAL TRANSACTIONS FOR THIRD PARTIES, ARCHITECTURAL CONSULTATION AND CONSTRUCTION DRAFTING, LODGING AND BOARDING SERVICES, SERVICES OF ARCHITECTS, SERVICES OF INTERIOR DECORATORS, SERVICES OF ENGINEERS, COMPUTER PROGRAMMING, IN CLASS 42 (U.S. CL. 100).

PRIORITY CLAIMED UNDER SEC. 44(D) ON FED REP GERMANY APPLICATION NO. B73676/12WZ, FILED 12-30-1983, REG. NO. 1064910, DATED 6-25-1984, EXPIRES 12-30-1993.

SER. NO. 487,543, FILED 6-29-1984.

GABRIELLE SIMAN, EXAMINING ATTORNEY

Int. Cl.: 12

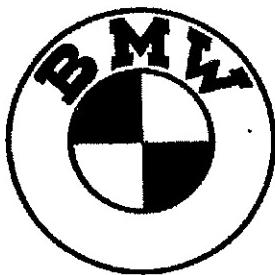
Prior U.S. Cl.: 19

United States Patent and Trademark Office
10 Year Renewal

Reg. No. 613,465

Registered Oct. 4, 1955
Renewal Term Begins Oct. 4, 1995

TRADEMARK
PRINCIPAL REGISTER



BAYERISCHE MOTOREN WERKE AK-
TIENGESELLSCHAFT (FED REP
GERMANY CORPORATION)
PETUELRING 130
D-8078 MUENCHEN, FED REP GER-
MANY

FOR: AUTOMOBILES, MOTOR
CYCLES, [SIDE CARS FOR MOTOR
CYCLES, MOTOR DRIVEN TRICYCLES

FOR TRANSPORTING PASSENGERS,
AND MOTOR DRIVEN TRICYCLES
FOR TRANSPORTING GOODS,] AND
PARTS THEREOF, IN CLASS 19 (INT.
CL. 12).

FIRST USE 10-5-1917; IN COMMERCE
2-0-1949.

SER. NO. 71-662,351, FILED 3-10-1954.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Jan. 2, 1996.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cls.: 3, 4, 6, 7, 9, 11, 12, 14, 16, 18, 20, 21, 25 and 28

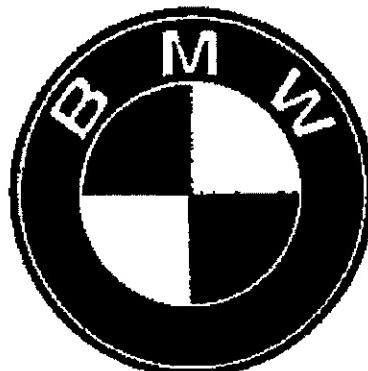
Prior U.S. Cls.: 1, 2, 3, 4, 5, 6, 12, 13, 14, 15, 19, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 44, 50, 51 and 52

Reg. No. 2,752,258

Registered Aug. 19, 2003

United States Patent and Trademark Office

TRADEMARK
PRINCIPAL REGISTER



BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT (FED REP GERMANY CORPORATION)
PETUELRING 130
D-80788 MUEENCHEN, FED REP GERMANY

FOR: CLEANING PREPARATIONS FOR USE IN THE AUTOMOTIVE FIELD; POLISH, NAMELY, CHROME, AUTOMOBILE POLISH; CAR CARE PRODUCTS, NAMELY, INTERIOR CLEANER, WHEEL CLEANER, CAR SHAMPOO, LEATHER CARE, RUBBER CARE AND CAR WAX, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: ENGINE OILS, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FOR: METAL KEY RINGS; METAL MONEY CLIPS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: VEHICLE PARTS, NAMELY, ENGINE COVERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FOR: COMPACT DISC PLAYERS; CELLULAR PHONES AND PARTS THEREOF; MOUSE PADS; GLOBAL POSITIONING SYSTEMS CONSISTING PRIMARILY OF COMPUTERS, COMPUTER SOFTWARE, TRANSMITTERS, RECEIVERS AND NET-

WORK INTERFACE DEVICES; ODOMETER/TACHOMETER DISPLAYS, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: SPOT LAMPS; MAP LIGHTS; LIGHTS FOR VEHICLES, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FOR: WHEEL STUD LOCKS; VALVE STEM CAPS; BICYCLES; BICYCLES STANDS FOR STATIONARY TRAINING; BICYCLE BAGS, NAMELY, BAGS MADE TO FIT BICYCLES; BULK HAULING TRAILERS; TRAILER HITCH KITS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FOR: WATCHES; CLOCKS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: PENS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: BACKPACKS; CARRY-ALL BAGS; DUFFEL BAGS; FANNY PACKS, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FOR: NON-METAL KEY RINGS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FOR: CUPS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FOR: GLOVES; DRESSES; SHIRTS; SCARVES;
SWEATSHIRTS; TIES; WIND RESISTANT JACKETS,
IN CLASS 25 (U.S. CLS. 22 AND 39).

FOR: GOLF BAGS; GOLF BALLS; SNOW-
BOARDS; SKATEBOARDS; TOY MOTORCYCLES;
MINIATURE TOY VEHICLES, IN CLASS 28 (U.S.
CLS. 22, 23, 38 AND 50).

OWNER OF ERPN CMNTY TM OFC REG. NO.
91884, DATED 3-23-1999, EXPIRES 4-1-2006.

OWNER OF U.S. REG. NOS. 611,710, 1,627,241 AND
OTHERS.

SER. NO. 76-410,806, FILED 5-15-2002.

JOHN DALIER, EXAMINING ATTORNEY

Int. Cls.: 37 and 42

Prior U.S. Cls.: 101 and 103

United States Patent and Trademark Office

Reg. No. 1,164,922
Registered Aug. 11, 1981

SERVICE MARK
Principal Register

BMW

Bayerische Motoren Werke Aktiengesellschaft (Fed.
Rep. of Germany joint stock company)
8000 München 40, Fed. Rep. of Germany

For: REPAIR AND MAINTENANCE SER-
VICES FOR MOTOR VEHICLES AND MOTOR
VEHICLE ENGINES, in CLASS 37 (U.S. Cl. 103).

First use 1918; in commerce Feb. 1949.

For: RETAIL MOTOR VEHICLE AND MO-
TOR VEHICLE ENGINE DEALERSHIP SER-
VICES, in CLASS 42 (U.S. Cl. 101).

First use 1918; in commerce Feb. 1949.

Owner of U.S. Reg. Nos. 611,710 and 613,465.

Ser. No. 205,394, filed Feb. 27, 1979.

J. C. DEMOS, Deputy Director

JAMES H. JOHNSON, Examiner

Int. Cls.: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 16, 18, 20, 21, 22, 24, 25, 27, 28 and 34

Prior U.S. Cls.: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30,
31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 44, 46, 50,
51 and 52

Reg. No. 2,816,178

Registered Feb. 24, 2004

United States Patent and Trademark Office

**TRADEMARK
PRINCIPAL REGISTER**

BMW

BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT (FED REP GERMANY CORPORATION)
PETUELRING 130
D-80788 MUENCHEN, FED REP GERMANY

FOR: ANTIFREEZE, IN CLASS 1 (U.S. CLS. 1, 5, 6, 10, 26 AND 46).

FOR: PAINTS, NAMELY, PAINT FOR USE IN THE MANUFACTURE OF AUTOMOBILES, IN CLASS 2 (U.S. CLS. 6, 11 AND 16).

FOR: CLEANING PREPARATIONS FOR USE IN THE AUTOMOTIVE FIELD; POLISH, NAMELY CHROME, AUTOMOBILE POLISH; CAR CARE PRODUCTS, NAMELY, INTERIOR CLEANER, WHEEL CLEANER, CAR SHAMPOO, LEATHER CARE, RUBBER CARE AND CAR WAX, IN CLASS 3 (U.S. CLS. 1, 4, 6, 50, 51 AND 52).

FOR: ENGINE LUBRICANTS; ENGINE OILS; GEAR OILS, IN CLASS 4 (U.S. CLS. 1, 6 AND 15).

FOR: FIRST AID KITS, IN CLASS 5 (U.S. CLS. 6, 18, 44, 46, 51 AND 52).

FOR: METAL KEY RINGS; METAL MONEY CLIPS, IN CLASS 6 (U.S. CLS. 2, 12, 13, 14, 23, 25 AND 50).

FOR: VEHICLE PARTS, NAMELY ENGINE COVERS, IN CLASS 7 (U.S. CLS. 13, 19, 21, 23, 31, 34 AND 35).

FOR: HAND TOOLS, NAMELY, SCRAPERS, IN CLASS 8 (U.S. CLS. 23, 28 AND 44).

FOR: COMPACT DISC PLAYERS; CELLULAR PHONES AND PARTS THEREOF; MOUSE PADS;

GLOBAL POSITIONING SYSTEMS CONSISTING PRIMARILY OF COMPUTERS, COMPUTER SOFTWARE, TRANSMITTERS, RECEIVERS AND NETWORK INTERFACE DEVICES; FLASHING SAFETY LIGHTS; SUNGLASSES; TIRE PRESSURE GAUGES; ODOMETER/TACHOMETER DISPLAYS; COMPACT DISC CASES; COMPACT DISC CARRYING CASES, IN CLASS 9 (U.S. CLS. 21, 23, 26, 36 AND 38).

FOR: SPOT LAMPS; MAP LIGHTS; LIGHTS FOR VEHICLES, IN CLASS 11 (U.S. CLS. 13, 21, 23, 31 AND 34).

FOR: WHEEL STUD LOCKS; VALVE STEM CAPS; ANTI-THEFT ALARM SYSTEMS; BICYCLE LIFTS; BICYCLES; BICYCLE STANDS FOR STATIONARY TRAINING; CARGO CARRIERS FOR VEHICLES; TIRE KITS FOR VEHICLES CONTAINING TIRE PRESSURE MONITOR AND TIRE SEALANT; ROOF RACK STORAGE CONTAINERS FOR LAND VEHICLES; LICENSE PLATE FRAMES; BULK HAULING TRAILERS; SEAT COVERS FOR VEHICLES; COVERS FOR VEHICLE BUMPERS; SUNSHADES FOR VEHICLES; MUD FLAPS FOR VEHICLES; TRAILER HITCH KITS; FITTED COVERS FOR VEHICLES; RACKS FOR VEHICLES, NAMELY, SKI RACKS AND BICYCLE RACKS; BICYCLE BAGS; MOTORCYCLE SADDLEBAGS; FITTED CAR COVERS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FOR: PRECIOUS METAL MONEY CLIPS; WATCHES; CLOCKS; TIE CLIPS; TIE PINS, IN CLASS 14 (U.S. CLS. 2, 27, 28 AND 50).

FOR: PENS, IN CLASS 16 (U.S. CLS. 2, 5, 22, 23, 29, 37, 38 AND 50).

FOR: BACKPACKS; BRIEFCASES; BUSINESS CARD CASES; CARRY-ALL BAGS; DUFFEL BAGS; LEATHER POUCHES; LUGGAGE BOXES FOR VE-

HICLES; TRAVEL BAGS; UMBRELLAS; FANNY PACKS; Wallets MADE OF LEATHER, IN CLASS 18 (U.S. CLS. 1, 2, 3, 22 AND 41).

FOR: NON-METAL KEY RINGS; PICTURE FRAMES MADE OF LEATHER; FURNITURE TABLES; CHAIRS, IN CLASS 20 (U.S. CLS. 2, 13, 22, 25, 32 AND 50).

FOR: MUGS, IN CLASS 21 (U.S. CLS. 2, 13, 23, 29, 30, 33, 40 AND 50).

FOR: PROTECTIVE LINERS FOR THE CARGO AREA OF VEHICLES; TIE DOWN STRAPS, IN CLASS 22 (U.S. CLS. 1, 2, 7, 19, 22, 42 AND 50).

FOR: BLANKETS; TOWELS, IN CLASS 24 (U.S. CLS. 42 AND 50).

FOR: SUITS; TIES; DRESSES; FLIP FLOPS; TURTLE NECKS; HEADWEAR; WIND RESISTANT JACKETS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FOR: FLOOR MATS FOR VEHICLES, IN CLASS 27 (U.S. CLS. 19, 20, 37, 42 AND 50).

FOR: GOLF BAGS; GOLF BALLS; GOLF DIVOT TOOLS; GOLF GLOVES; TOY RACETRACKS; SNOWBOARDS; SKATEBOARDS; TOY MOTORCYCLES; MINIATURE TOY VEHICLES; PROTECTIVE ATHLETIC EQUIPMENT, NAMELY KIDNEY GUARDS, IN CLASS 28 (U.S. CLS. 22, 23, 38 AND 50).

FOR: CIGARETTE LIGHTERS NOT FOR LAND VEHICLES, IN CLASS 34 (U.S. CLS. 2, 8, 9 AND 17).

OWNER OF ERPN CMNTY TM OFC REG. NO. 91835, DATED 2-25-2000, EXPIRES 2-25-2010.

OWNER OF U.S. REG. NOS. 611,710, 1,627,241 AND OTHERS.

SER. NO. 76-410,763, FILED 5-16-2002.

JOHN DALIER, EXAMINING ATTORNEY

Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 611,710

Registered Sep. 6, 1955

Renewal Term Begins Sep. 6, 1995

**TRADEMARK
PRINCIPAL REGISTER**

BMW

BAYERISCHE MOTOREN WERKE AK-
TIENGESELLSCHAFT (FED REP
GERMANY CORPORATION)
PETUELRING 130
D-80788 MUENCHEN, FED REP GER-
MANY

FOR: AUTOMOBILES, MOTOR
CYCLES [SIDE CARS FOR MOTOR

CYCLES, MOTOR DRIVEN TRICYCLES
FOR TRANSPORTING PASSENGERS,
MOTOR DRIVEN TRICYCLES FOR
TRANSPORTING GOODS], IN CLASS 19
(INT. CL. 12).

FIRST USE 10-5-1917; IN COMMERCE
2-0-1949.

SER. NO. 71-662,350, FILED 3-10-1954.

*In testimony whereof I have hereunto set my hand
and caused the seal of The Patent and Trademark
Office to be affixed on Jan. 30, 1996.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Int. Cl.: 25

Prior U.S. Cl.: 39

United States Patent and Trademark Office Reg. No. 1,627,241
Registered Dec. 11, 1990

**TRADEMARK
PRINCIPAL REGISTER**

BMW

BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT (FED REP GERMANY STOCK COMPANY)
POSTFACH 40 02 40
PETUELRING 130, BMW HAUS
MUNCHEN, FED REP GERMANY 40

FOR: CLOTHING, NAMELY SHIRTS, TEE SHIRTS, POLO SHIRTS, SWEAT SHIRTS, SWEATERS, BLOUSES, PULLOVERS, VESTS, KNITTED AND UNKNITTED JACKETS, KNITTED BLAZERS, ANORAKS, CARDIGANS, COATS, PANTS, SHORTS, JOGGING SUITS, OVERALLS, BATHROBES, SOCKS, TIES, CAPS,

VISORS, SCARVES, GLOVES, LEATHER WIND RESISTANT JACKETS, LEATHER JACKETS, LEATHER SUITS, RUNNING SUITS, RAIN SUITS, BOOTS, GOLF JACKETS AND NIGHTSHIRTS, IN CLASS 25 (U.S. CL. 39).

FIRST USE 1-0-1984; IN COMMERCE 0-0-1984.

OWNER OF U.S. REG. NOS. 611,710, 1,450,212 AND OTHERS.

SER. NO. 73-823,807, FILED 9-6-1989.

MARIE-ANNE MASTROVITO, EXAMINING ATTORNEY

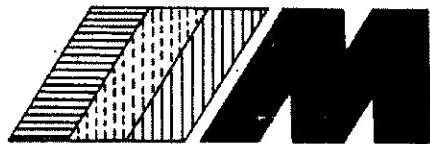
Int. Cl.: 12

Prior U.S. Cl.: 19

United States Patent and Trademark Office

Reg. No. 1,438,545
Registered May 5, 1987

TRADEMARK
PRINCIPAL REGISTER



BAYERISCHE MOTOREN WERKE AKTIENGE-
SELLSCHAFT (FED REP GERMANY CORPO-
RATION)
PETUELRING 130, BMW HAUS
MUNICH 40, FED REP GERMANY

FOR: AUTOMOBILES, IN CLASS 12 (U.S. CL.
19).

FIRST USE 0-0-1982; IN COMMERCE
1-1-1985.

THE DRAWING IS LINED TO INDICATE
THE COLORS BLUE, VIOLET AND RED.

SER. NO. 474,699, FILED 5-15-1986.

FRANK HELLWIG, EXAMINING ATTORNEY

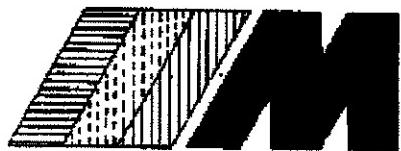
Int. Cls.: 12, 25 and 27

Prior U.S. Cls.: 19, 20, 21, 22, 23, 31, 35, 37, 39, 42, 44
and 50

United States Patent and Trademark Office

Reg. No. 2,683,597
Registered Feb. 4, 2003

TRADEMARK
PRINCIPAL REGISTER



BAYERISCHE MOTOREN WERKE AKTIENGESELLSCHAFT (FED REP GERMANY CORPORATION)
PETUELRING 130
D-80788 MUENCHEN, FED REP GERMANY

FOR: VALVE STEM CAPS; LICENSE PLATE FRAMES, GEAR SHIFT KNOBS, IN CLASS 12 (U.S. CLS. 19, 21, 23, 31, 35 AND 44).

FIRST USE 0-0-1994; IN COMMERCE 0-0-1994.

FOR: HEADWEAR; PULLOVERS; SWEATERS; SHORTS; TURTLENECKS, IN CLASS 25 (U.S. CLS. 22 AND 39).

FIRST USE 0-0-1994; IN COMMERCE 0-0-1994.

FOR: FLOOR MATS; TRUNK MATS, IN CLASS 27 (U.S. CLS. 19, 20, 37, 42 AND 50).

FIRST USE 0-0-1994; IN COMMERCE 0-0-1994.

OWNER OF U.S. REG. NOS. 1,438,545 AND 2,381,292.

THE MARK IS LINED TO INDICATE THE COLORS BLUE, VIOLET AND RED.

SER. NO. 76-410,758, FILED 5-16-2002.

BRIAN NEVILLE, EXAMINING ATTORNEY

EXHIBIT B

U.S. Patent

Feb. 21, 2006

US D515,491 S

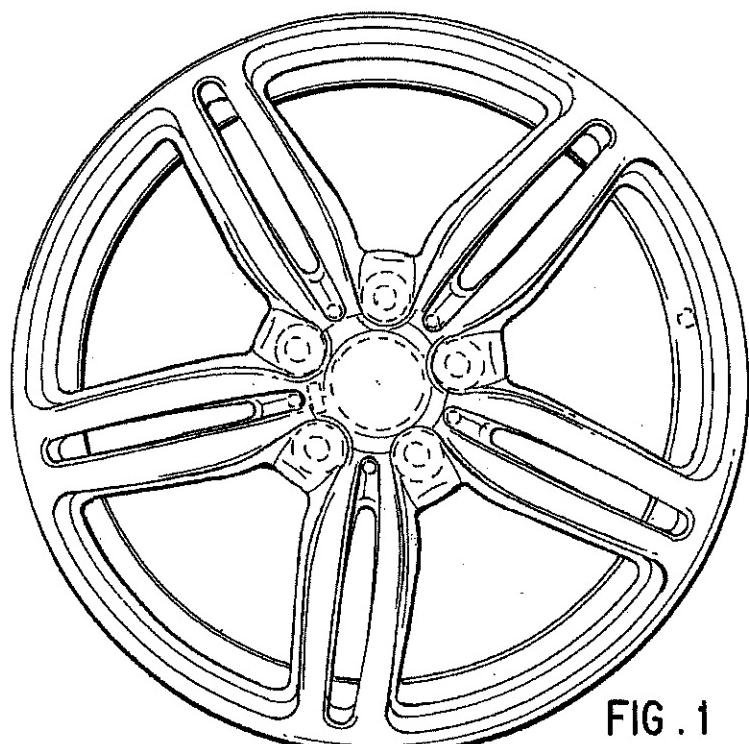


FIG. 1

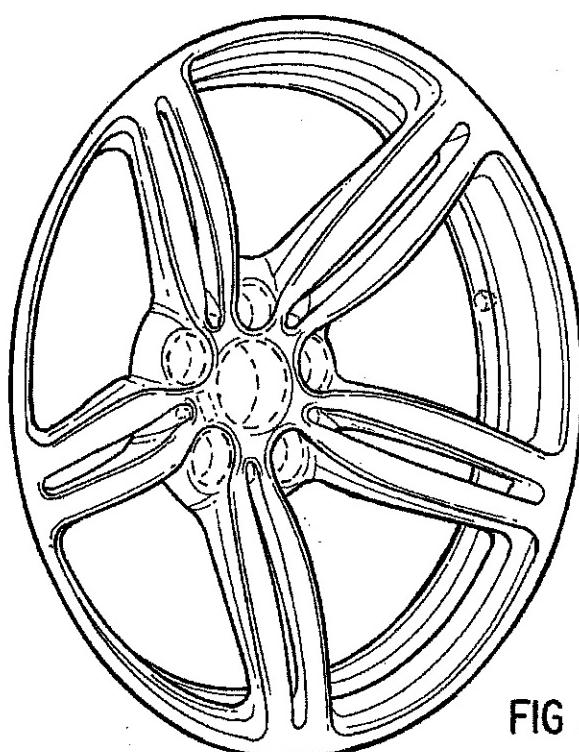


FIG. 2



US00D514999S

(12) United States Design Patent **(10) Patent No.:** US D514,999 S
Boyer **(45) Date of Patent:** ** Feb. 14, 2006

(54) FRONT FACE OF A VEHICLE WHEEL

(75) Inventor: Boyke Boyer, Ismaning (DE)

(73) Assignee: Bayerische Motoren Werke
Aktiengesellschaft, Munich (DE)

(***) Term: 14 Years

(21) Appl. No.: 29/182,331

(22) Filed: May 27, 2003

(30) Foreign Application Priority Data

Nov. 25, 2002 (DE) 4 02 09 836

(51) LOC (8) Cl. 12-16

(52) U.S. Cl. D12/209

(58) Field of Classification Search D12/204-213;
301/37.101, 64.101, 65

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

D409,968 S * 5/1999 Goplen D12/211
D447,106 S * 8/2001 Chung D12/209

D471,144 S *	3/2003	Pfeiffer	D12/209
D476,284 S *	6/2003	Pfeiffer et al.	D12/211
D479,177 S *	9/2003	Nordmann	D12/211
D494,523 S *	8/2004	Koenigsberg	D12/209
D502,137 S *	2/2005	Blum	D12/211
D504,099 S *	4/2005	Boyer	D12/211
D504,651 S *	5/2005	Johnson	D12/211

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

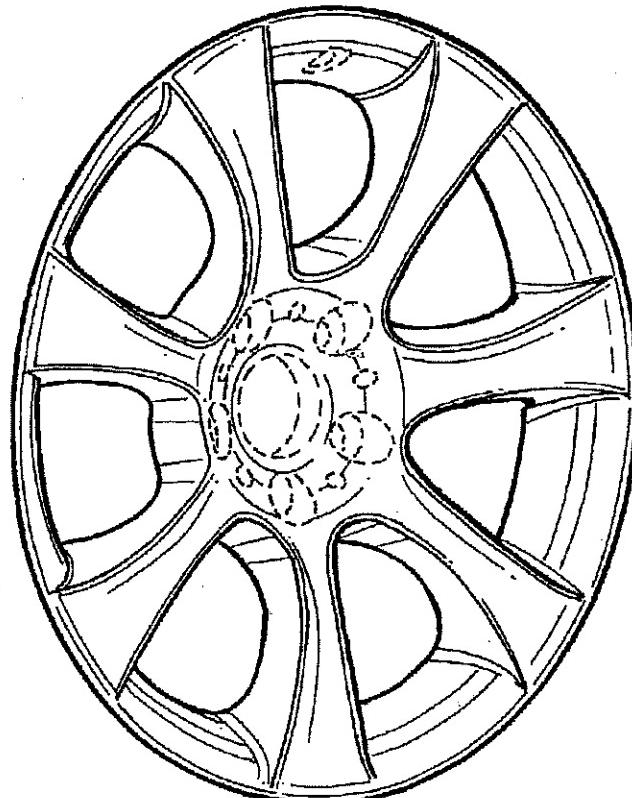
(57) CLAIM

The ornamental design for a front face of a vehicle wheel,
as shown and described.

DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel
according to my novel design; and,FIG. 2 is a perspective view of the front face of a vehicle
wheel according to my novel design.The broken lines are for illustrative purposes only and form
no part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Feb. 14, 2006

US D514,999 S

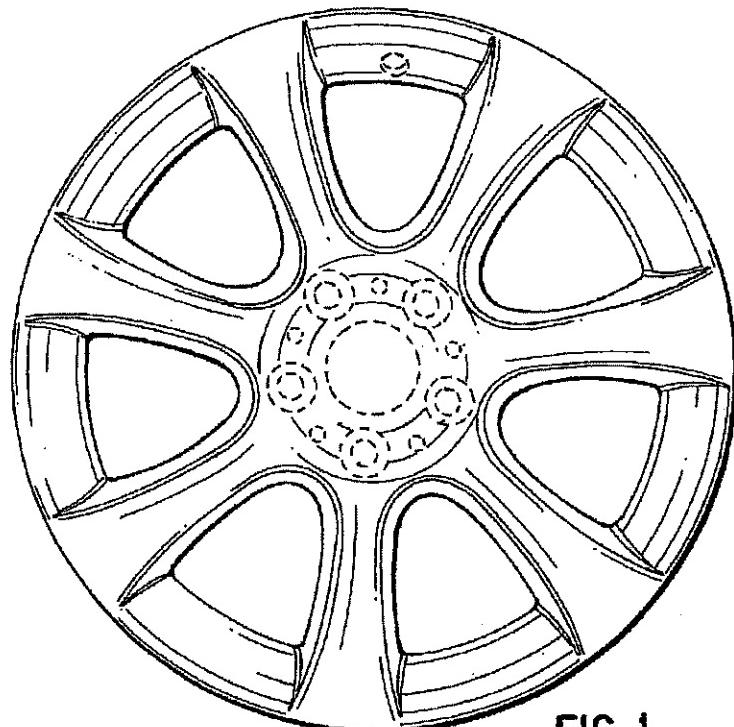


FIG. 1

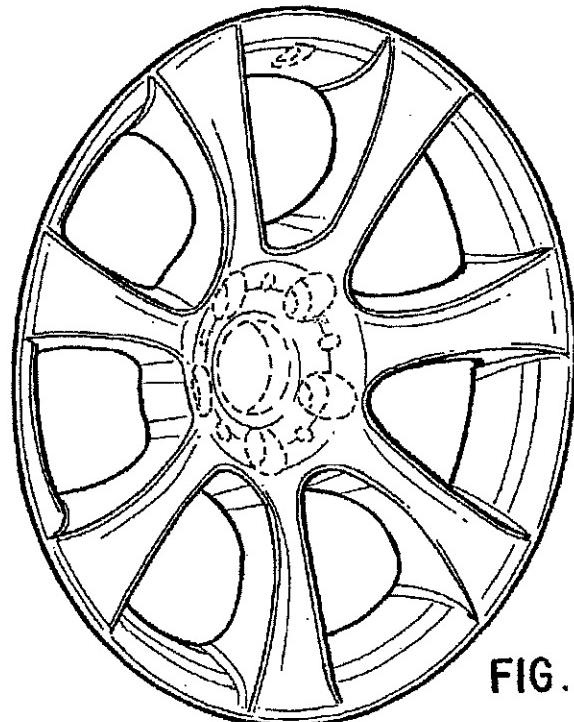


FIG. 2



US00DS04382S

(12) **United States Design Patent** (10) Patent No.: **US D504,382 S**
Elmitt (45) Date of Patent: ** Apr. 26, 2005

(54) FRONT FACE OF A VEHICLE WHEEL

D457,119 S	*	5/2002	Braun et al.	.....	D12/211
D473,836 S	*	4/2003	Laengerer	.....	D12/211
D486,115 S	*	2/2004	Chung	.....	D12/211
D487,420 S	*	3/2004	Kang	.....	D12/211
D490,760 S	*	6/2004	Sands	.....	D12/209
D497,870 S	*	11/2004	Cahyono	.....	D12/211

(75) Inventor: Karl John Elmitt, Eching (DE)

* cited by examiner

(73) Assignee: Bayerische Motoren Werke
Aktiengesellschaft, Munich (DE)Primary Examiner—Stacia Cadmus
(74) Attorney, Agent, or Firm—Crowell & Moring LLP

(**) Term: 14 Years

(57) CLAIM

(21) Appl. No.: 29/202,528

The ornamental design for a front face of a vehicle wheel,
as shown and described.

(22) Filed: Apr. 1, 2004

DESCRIPTION

(30) Foreign Application Priority Data

Oct. 2, 2003 (DE)

FIG. 1 is a front view of a front face of a vehicle wheel
according to my novel design; and,
FIG. 2 is a perspective view of the front face of a vehicle
wheel according to my novel design.

(51) LOC (7) Cl. 12-16

The broken lines are for illustrative purposes only and form
no part of the claimed design.

(52) U.S. Cl. D12/211

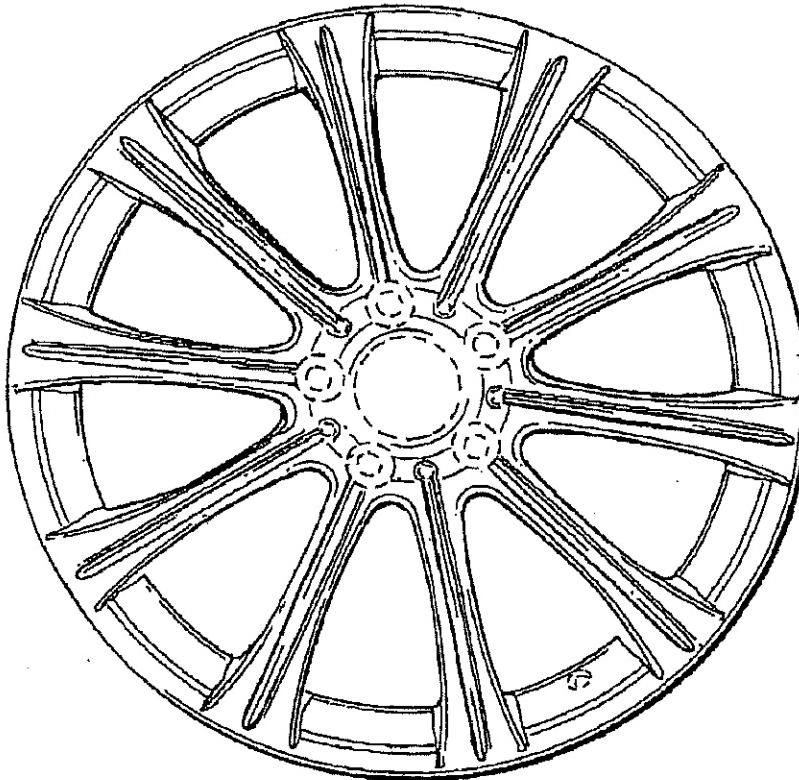
(58) Field of Search D12/204-213;

301/37.101, 64.101, 65

1 Claim, 1 Drawing Sheet

(56) References Cited

U.S. PATENT DOCUMENTS

D414,454 S * 9/1999 Chung D12/211
D451,467 S * 12/2001 Chung D12/211

U.S. Patent

Apr. 26, 2005

US D504,382 S

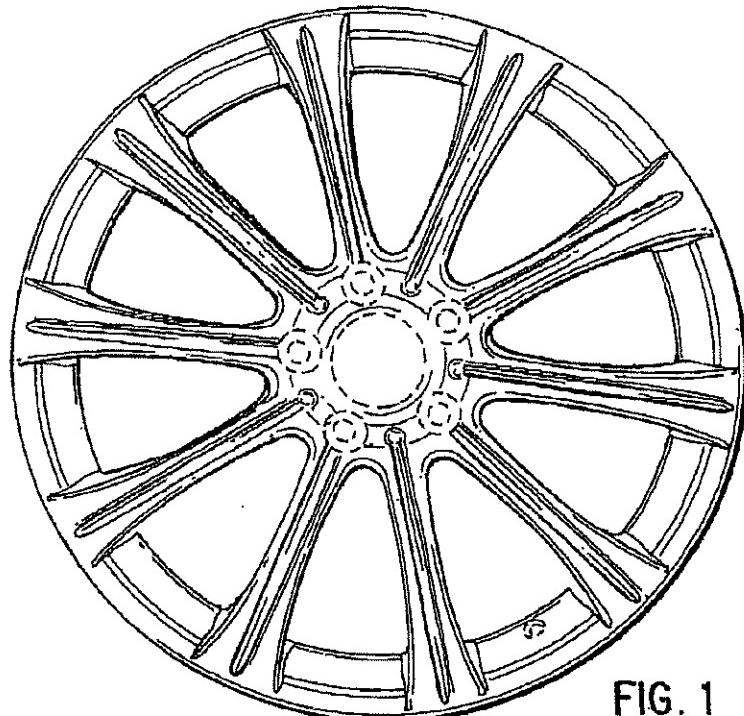


FIG. 1

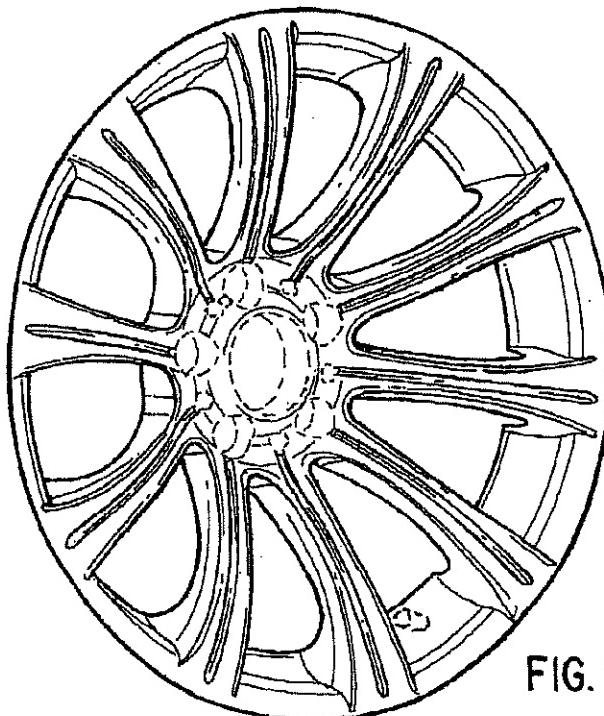


FIG. 2



US00D493404S1

(12) **United States Design Patent** (10) Patent No.: **US D493,404 S**
Baum (45) Date of Patent: ** Jul. 27, 2004

(54) FRONT FACE OF A VEHICLE WHEEL

D441,339 S	*	5/2001	Hussaini et al.	.....	D12/211
D457,119 S	*	5/2002	Braun et al.	.....	D12/211
D460,733 S	*	7/2002	Bintoro	.....	D12/211
D460,942 S	*	7/2002	Lee	.....	D12/211
D466,070 S	*	11/2002	Lee	.....	D12/211
D468,250 S	*	1/2003	Donikoglu	.....	D12/209
D473,836 S	*	4/2003	Laengerer	.....	D12/211
D474,440 S	*	5/2003	Oh	.....	D12/211
D480,035 S	*	9/2003	Frohlich	.....	D12/211
D480,036 S	*	9/2003	Laengerer	.....	D12/211
D482,309 S	*	11/2003	Sulahian	.....	D12/211
D483,714 S	*	12/2003	Warming	.....	D12/211
D484,447 S	*	12/2003	Warming	.....	D12/211
D486,111 S	*	2/2004	Weidhase	.....	D12/211

(75) Inventor: Stephan Baum, Olching (DE)

(73) Assignee: Bayerische Motoren Werke Aktiengesellschaft, Munich (DE)

(**) Term: 14 Years

(21) Appl. No.: 29/182,333

(22) Filed: May 27, 2003

(30) Foreign Application Priority Data

Nov. 25, 2002 (DE) 4 02 09 836

(51) LOC (7) Cl. 12-16

(52) U.S. Cl. D12/211

(58) Field of Search D12/204-213; 301/37.101, 64.101, 65

(56) References Cited

U.S. PATENT DOCUMENTS

D368,464 S	*	4/1996	Morley et al.	.....	D12/209
D405,749 S	*	2/1999	Kull	.....	D12/211
D409,132 S	*	5/1999	Cullen	.....	D12/211
D410,426 S	*	6/1999	Frizzi	.....	D12/211
D416,849 S	*	11/1999	Weidhase	.....	D12/211
D428,379 S	*	7/2000	Donikoglu	.....	D12/211
D438,503 S	*	3/2001	Syring	.....	D12/211

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

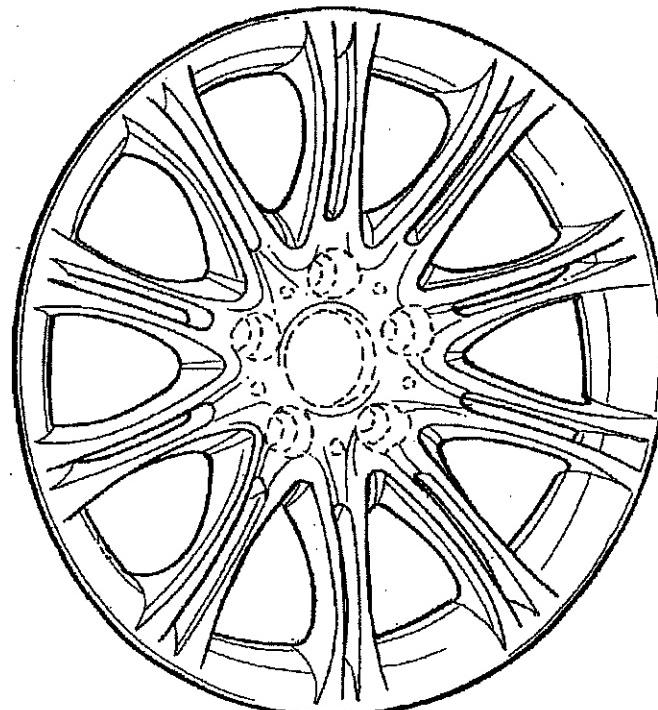
(57) CLAIM

The ornamental design for a front face of a vehicle wheel, as shown and described.

DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel according to my novel design; and,
 FIG. 2 is a perspective view of the front face of a vehicle wheel according to my novel design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Jul. 27, 2004

US D493,404 S

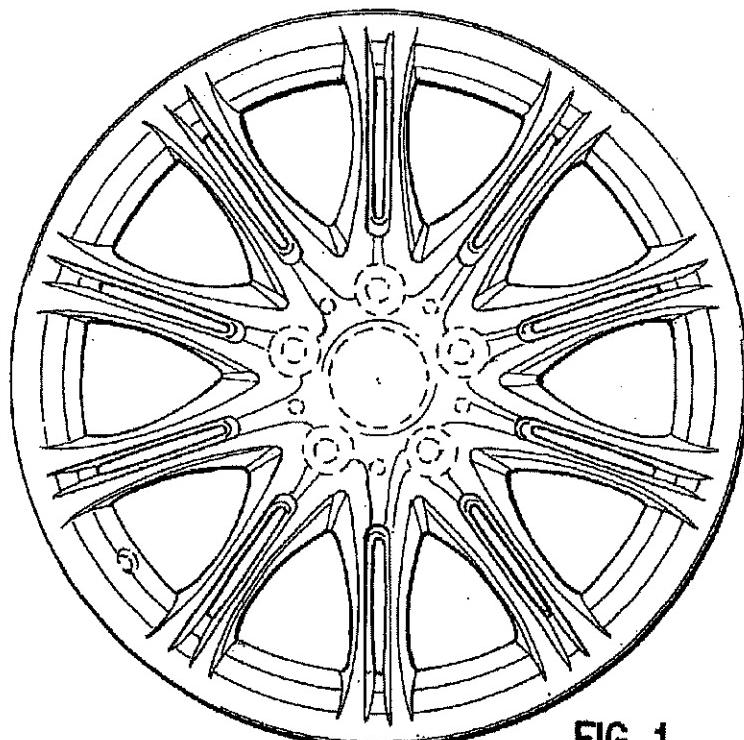


FIG. 1

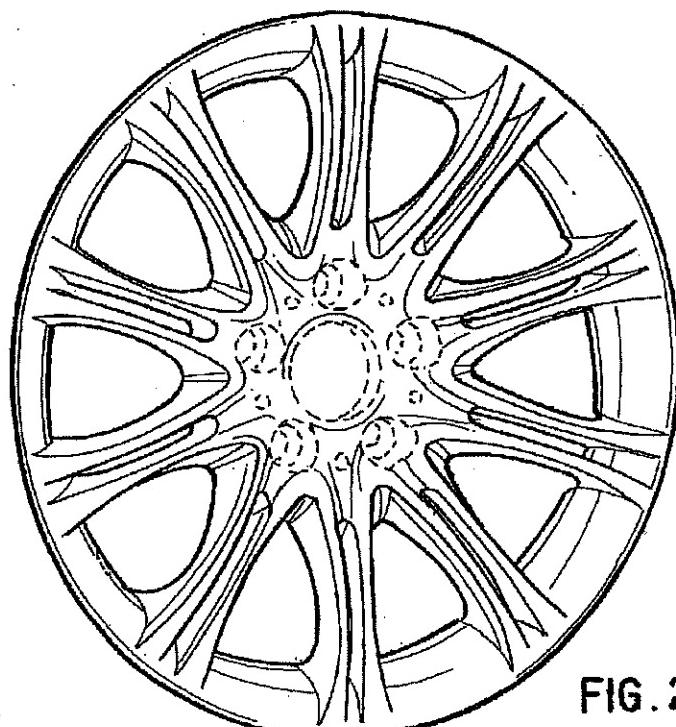


FIG. 2



US00D470093S

(12) **United States Design Patent** (10) Patent No.: **US D470,093 S**
Frizzi (45) Date of Patent: ** Feb. 11, 2003

(54) FRONT FACE OF A VEHICLE WHEEL

(75) Inventor: Roberto Frizzi, Brescia (IT)

(73) Assignee: Bayerische Motoren Werke Aktiengesellschaft, Munich (DE)

(**) Term: 14 Years

(21) Appl. No.: 29/141,903

(22) Filed: May 16, 2001

(30) Foreign Application Priority Data

Nov. 16, 2000 (DE) 4 00 10 998

(51) LOC (7) Cl. 12-16

(52) U.S. Cl. D12/209

(58) Field of Search D12/204-211; 301/37.101, 64.101, 65

D407,057 S	*	3/1999	Goplen	D12/211
D412,149 S	*	7/1999	Corioni	D12/211
D412,479 S	*	8/1999	Sacco et al.	D12/209
D419,940 S	*	2/2000	Sacco et al.	D12/209
D428,845 S	*	9/2000	Yoshida et al.	D12/211
D430,523 S	*	9/2000	Pfeiffer	D12/209
D432,479 S	*	10/2000	Lee et al.	D12/209
D436,912 S	*	1/2001	Boyer	D12/211
D451,458 S	*	12/2001	Sacco et al.	D12/209
D451,466 S	*	12/2001	Fujii	D12/211
D460,941 S	*	7/2002	Mazzarelli	D12/211

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

(57) CLAIM

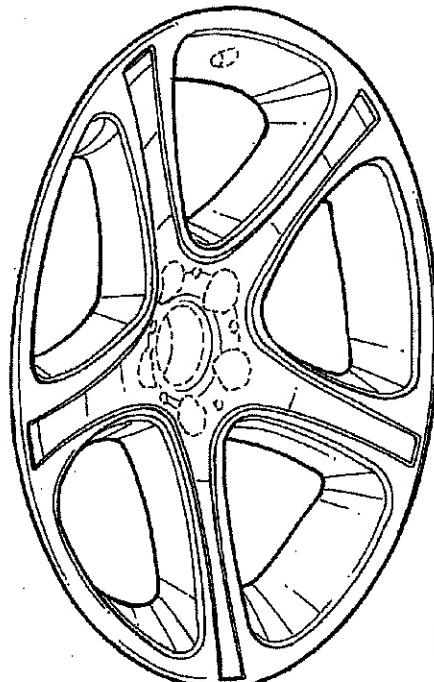
The ornamental design for a front face of a vehicle wheel, as shown and described.

DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel according to my novel design; and,

FIG. 2 is a perspective view of the front face of a vehicle wheel according to my novel design.
The dash lines included depict environment and are not part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Feb. 11, 2003

US D470,093 S

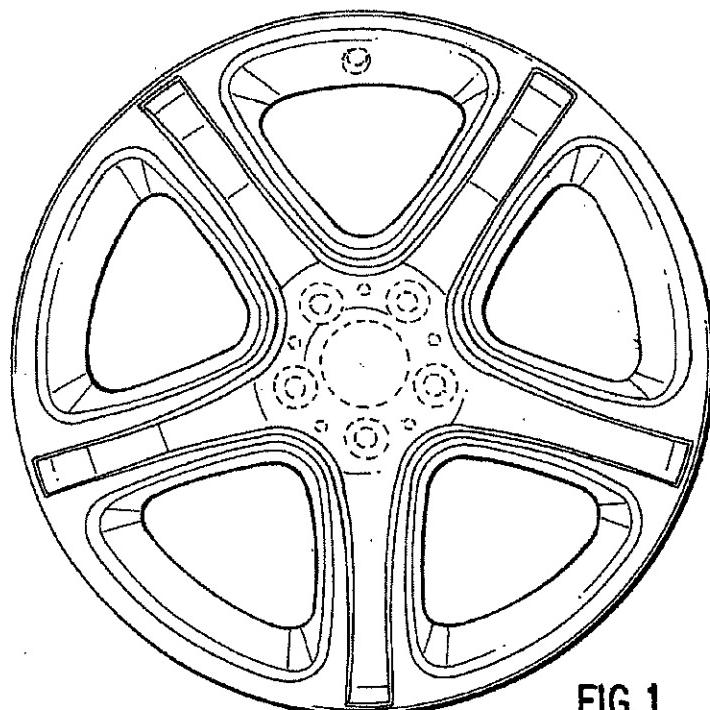


FIG.1

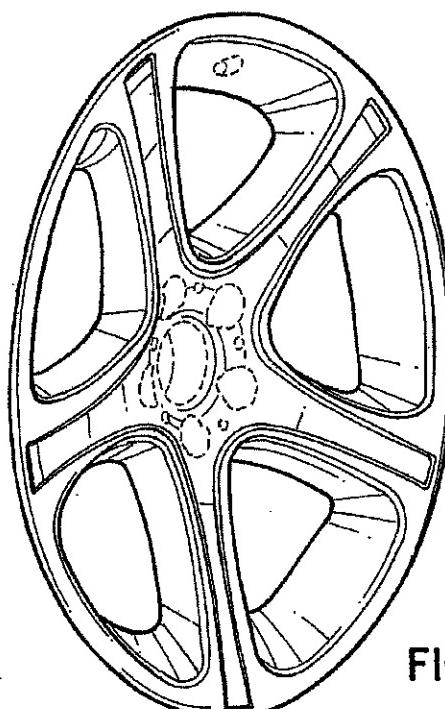


FIG.2



US00D532358S

(12) **United States Design Patent** (10) Patent No.: **US D532,358 S**
Blasi (45) Date of Patent: ** Nov. 21, 2006

(54) FRONT FACE OF A VEHICLE WHEEL

D445,753 S *	7/2001	Nepper	D12/211
D457,119 S *	5/2002	Braun et al.	D12/211
D502,679 S *	3/2005	Boyer	D12/211
D506,965 S *	7/2005	Kafmeka	D12/209
D520,434 S *	5/2006	Fahr-Becker	D12/211
D520,933 S *	5/2006	Pfeiffer	D12/211
D522,430 S *	6/2006	Nordmann	D12/209
D522,439 S *	6/2006	Laengerer	D12/211
D522,954 S *	6/2006	Huelier	D12/211

(75) Inventor: Juliane Blasi, Munich (DE)

(73) Assignee: Bayerische Motoren Werke
Aktiengesellschaft, Munich (DE)

(4**) Term: 14 Years

(21) Appl. No.: 29/258,756

(22) Filed: Apr. 27, 2006

(30) Foreign Application Priority Data

Oct. 28, 2005 (DE) 4 05 05 625

(51) LOC (8) Cl. 12-16

(52) U.S. Cl. D12/211

(58) Field of Classification Search D12/204-213;

301/37.101, 64.101, 65

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

D414,454 S * 9/1999 Chung D12/211

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

(57) CLAIM

The ornamental design for a front face of a vehicle wheel,
as shown and described.

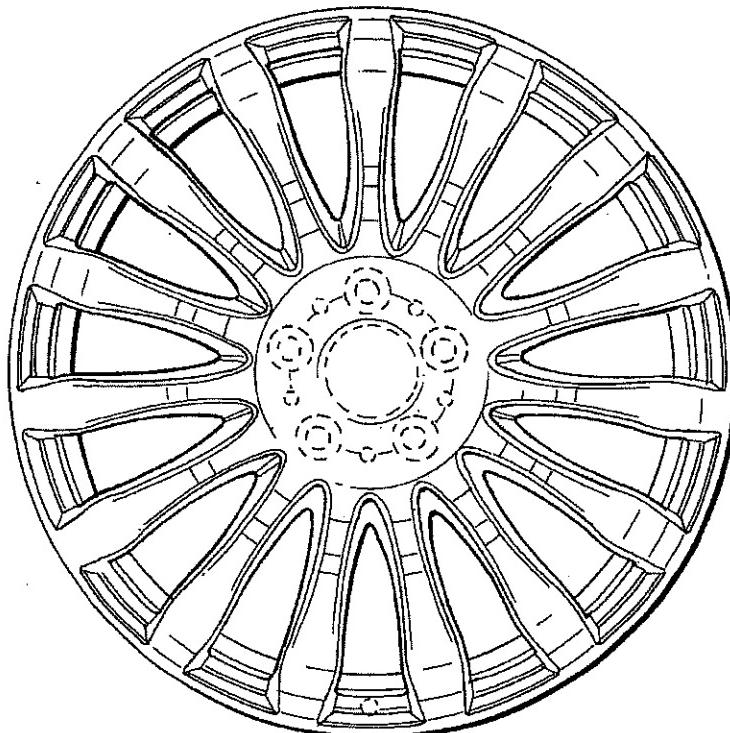
DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel
according to my novel design; and,

FIG. 2 is a perspective view thereof.

The broken lines are for illustrative purposes only and form
no part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Nov. 21, 2006

US D532,358 S

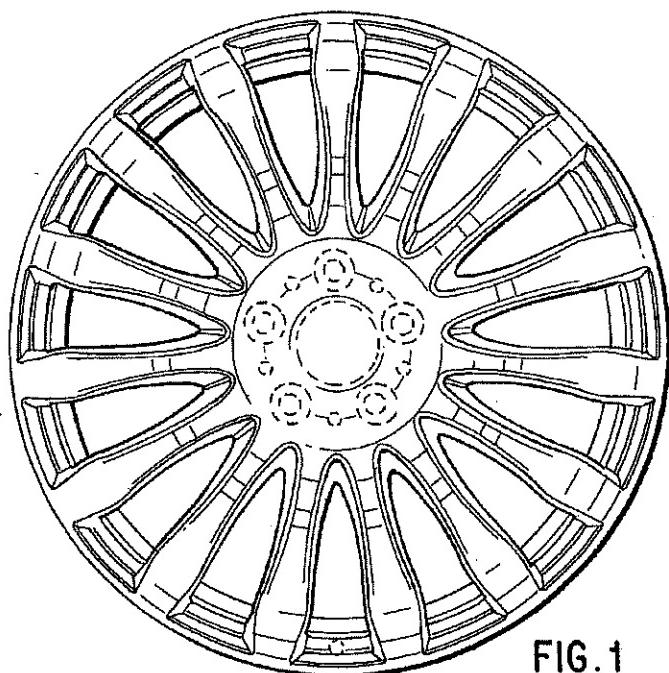


FIG. 1

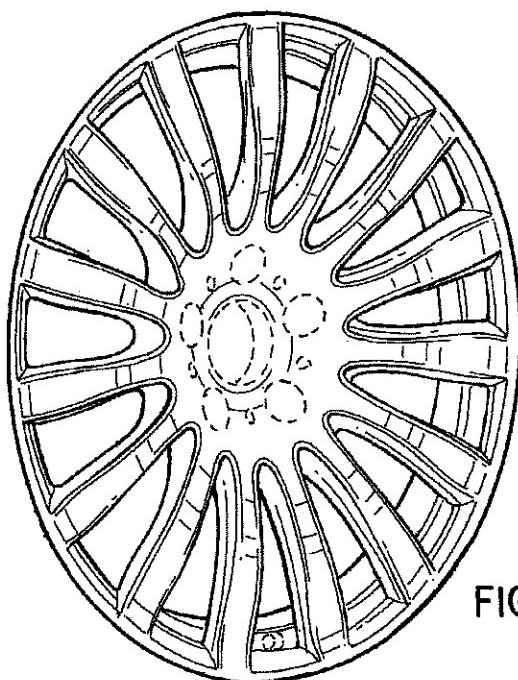


FIG. 2



US00D558114S

(12) United States Design Patent **(10) Patent No.:** US D558,114 S
Pollmann **(45) Date of Patent:** ** Dec. 25, 2007

(54) FRONT FACE OF A VEHICLE WHEEL

(75) Inventor: Gert Pollmann, Boehmfeld (DE)

(73) Assignee: Bayerische Motoren Werke Aktiengesellschaft, Munich (DE)

(**) Term: 14 Years

(21) Appl. No.: 29/271,995

(22) Filed: Jan. 31, 2007

(30) Foreign Application Priority Data

Aug. 1, 2006 (DE) 4 06 04 070

(51) LOC (8) Cl. 12-16

(52) U.S. Cl. D12/209

(58) Field of Classification Search D12/204-213; 301/37.101, 64.101, 65, 64.201

See application file for complete search history.

(56) References Cited**U.S. PATENT DOCUMENTS**

D433,659 S * 11/2000 Frizzi D12/211

D454,527 S * 3/2002 Bhambra D12/209

D471,502 S *	3/2003	McMath	D12/209
D484,839 S *	1/2004	Scheu	D12/209
D486,769 S *	2/2004	Gallert	D12/209
D493,403 S *	7/2004	Kataoka	D12/209
D500,723 S *	1/2005	Alimchandani	D12/209
D506,717 S *	6/2005	Gallert	D12/209
D509,782 S *	9/2005	Pollmann	D12/209
D520,431 S *	5/2006	Truebsbach	D12/209
D539,204 S *	3/2007	Pollmann	D12/209

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

(57) CLAIM

The ornamental design for a front face of a vehicle wheel, as shown and described.

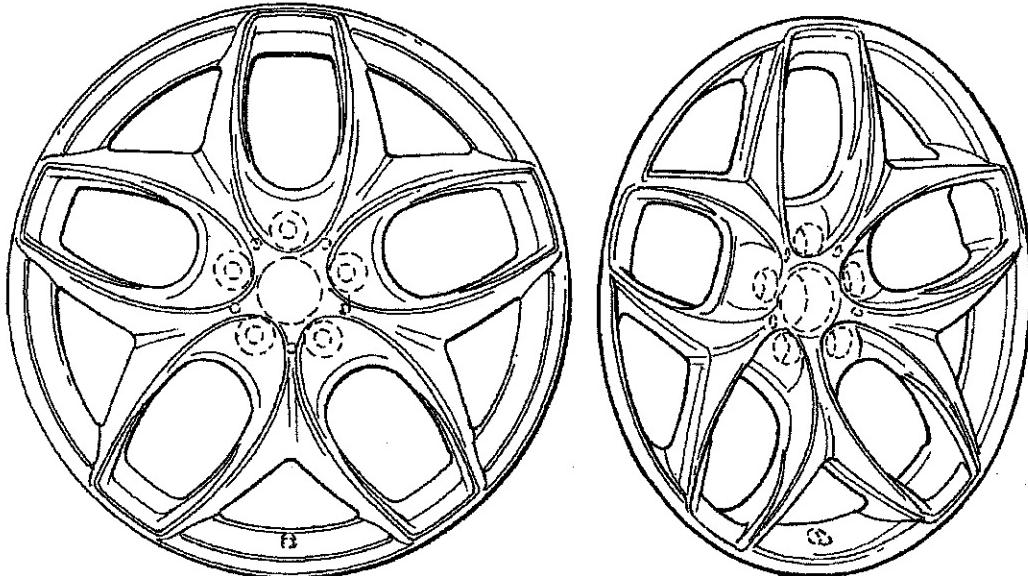
DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel according to my novel design; and,

FIG. 2 is a perspective view thereof.

The broken lines are for illustrative purposes only and form no part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Dec. 25, 2007

US D558,114 S

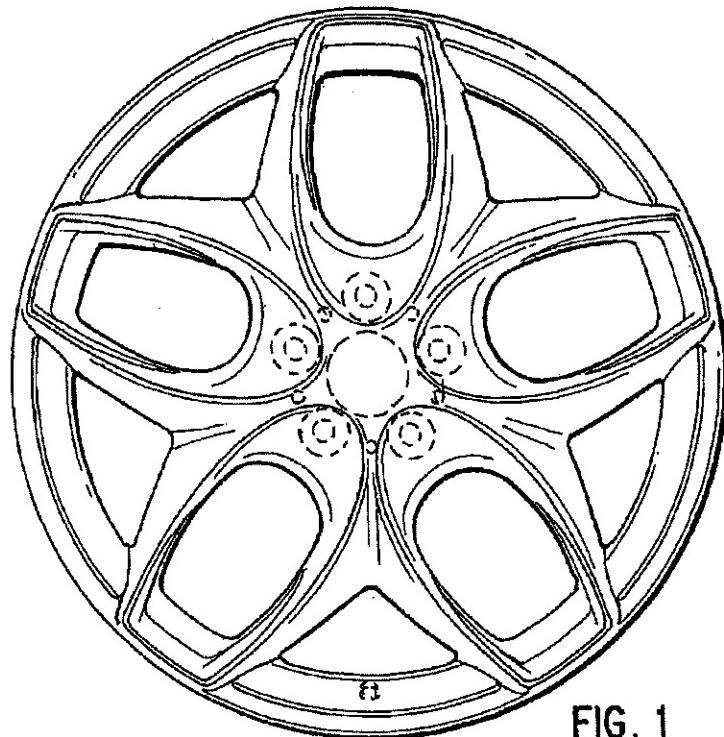


FIG. 1

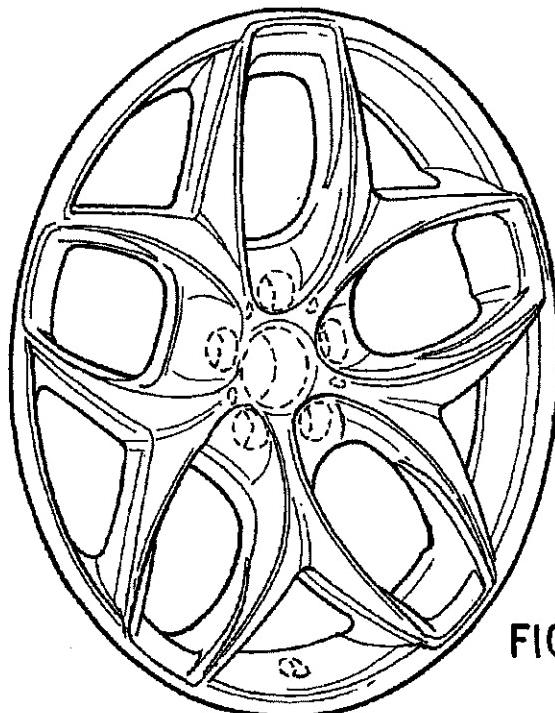


FIG. 2



(12) United States Design Patent **(10) Patent No.:** US D560,585 S
Blasi **(45) Date of Patent:** ** Jan. 29, 2008

(54) FRONT FACE OF A VEHICLE WHEEL

(75) Inventor: Julianne Blasi, Munich (DE)

(73) Assignee: Bayerische Motoren Werke
Aktiengesellschaft, Munich (DE)

() Term:** 14 Years

(21) Appl. No.: 29/270,363

(22) Filed: Dec. 21, 2006

(30) Foreign Application Priority Data

Jun. 22, 2006 (DE) 40603373

(51) LOC (8) Cl. 12-16

(52) U.S. Cl. D12/209

(58) Field of Classification Search D12/204-213;
301/37.101, 64.101, 65, 64.201

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

D410,617 S *	6/1999	Hussaini et al.	.....	D12/209
D412,480 S *	8/1999	Hussaini et al.	.....	D12/209
D419,942 S	2/2000	Lampkin		
D451,461 S *	12/2001	Arellano	.....	D12/209

D460,396 S *	7/2002	Kember et al.	.....	D12/209
D466,467 S *	12/2002	Hodges	.....	D12/211
D474,439 S *	5/2003	McMath	.....	D12/209
D491,124 S	6/2004	Rice		
D496,318 S *	9/2004	Cheng	.....	D12/209
D512,007 S *	11/2005	Sze	.....	D12/209
D523,800 S *	6/2006	Sulahian	.....	D12/209
D532,736 S *	11/2006	Ettensberger	.....	D12/209
D533,495 S *	12/2006	Arora	.....	D12/209
D539,720 S *	4/2007	Looho	.....	D12/209

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

(57) CLAIM

The ornamental design for a front face of a vehicle wheel, as shown and described.

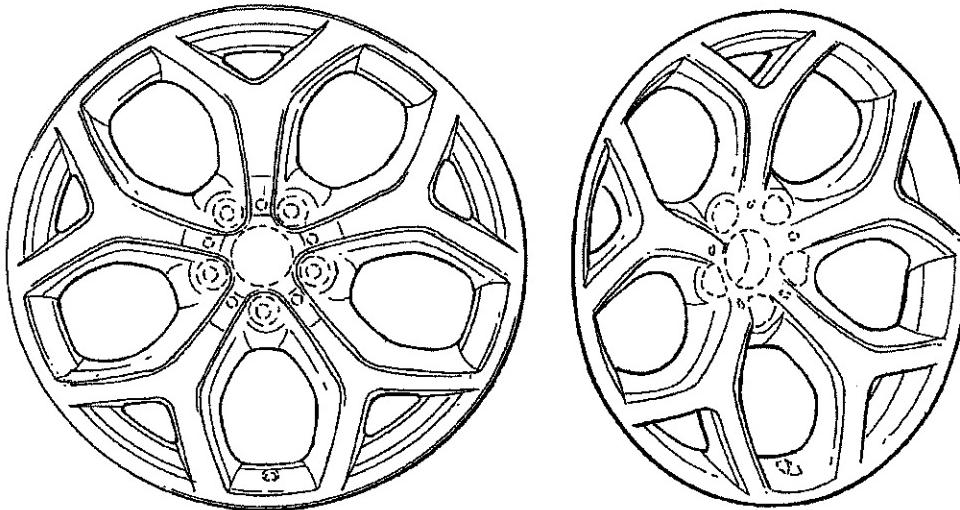
DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel according to my novel design; and,

FIG. 2 is a perspective view thereof.

The broken lines are for illustrative purposes only and form no part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Jan. 29, 2008

US D560,585 S

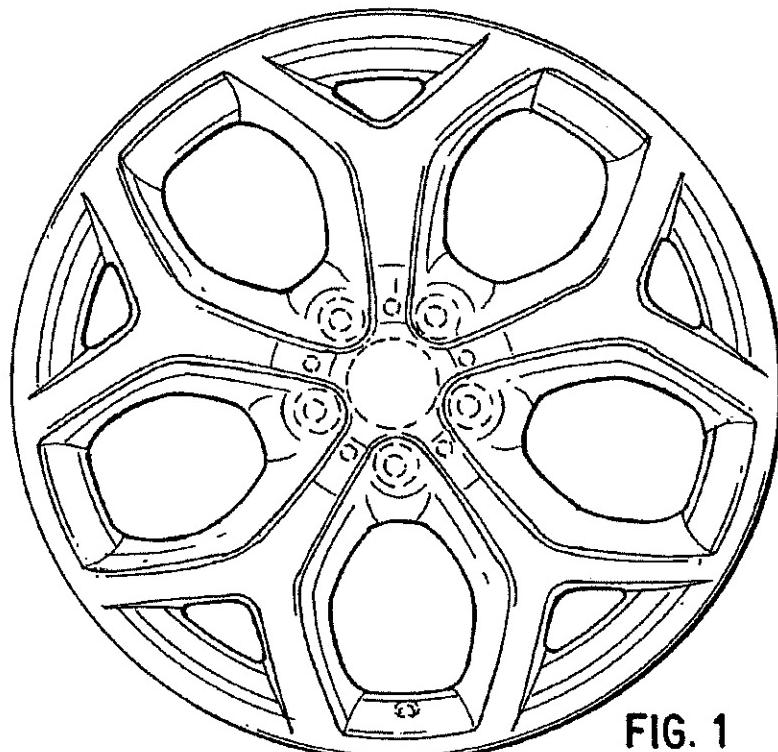


FIG. 1

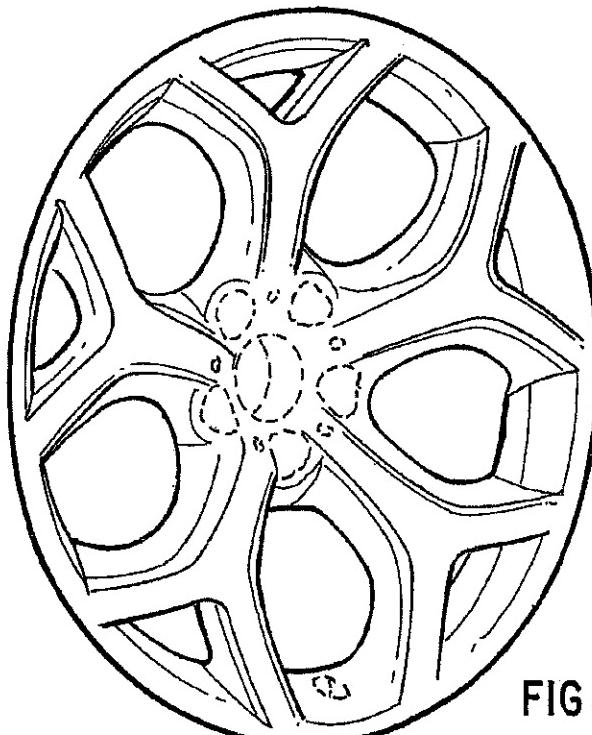


FIG. 2



US00D528962S

(12) **United States Design Patent** (10) Patent No.: **US D528,962 S**
Blasi (45) Date of Patent: ** Sep. 26, 2006

(54) FRONT FACE OF A VEHICLE WHEEL

(75) Inventor: Julianne Blasi, Munich (DE)

(73) Assignee: Bayerische Motoren Werke
Aktiengesellschaft, Munich (DE)

(**) Term: 14 Years

(21) Appl. No.: 29/242,309

(22) Filed: Nov. 9, 2005

(30) Foreign Application Priority Data

May 11, 2005 (DE) 40502549

(51) LOC (8) Cl. 12-16

(52) U.S. Cl. D12/211

(58) Field of Classification Search D12/204-213;
301/37.101, 64.101, 65

See application file for complete search history.

(56) References Cited

U.S. PATENT DOCUMENTS

- | | | |
|--------------|---------------------|---------|
| D414,454 S * | 9/1999 Chung | D12/211 |
| D457,119 S * | 5/2002 Braun et al. | D12/211 |
| D471,144 S * | 3/2003 Pfeiffer | D12/209 |

D473,836 S *	4/2003 Laengerer	D12/211
D504,101 S *	4/2005 Pfeiffer	D12/211
D504,382 S *	4/2005 Elmitt	D12/211
D504,647 S *	5/2005 Leclercq	D12/209
D506,967 S *	7/2005 Kamimura	D12/211
D507,224 S *	7/2005 Pfeiffer	D12/211
D507,775 S *	7/2005 Pfeiffer	D12/211
D513,488 S *	1/2006 Momokawa	D12/211
D514,999 S *	2/2006 Boyer	D12/209
D519,072 S *	4/2006 Komuro	D12/209

* cited by examiner

Primary Examiner—Stacia Cadmus

(74) Attorney, Agent, or Firm—Crowell & Moring LLP

(57) CLAIM

The ornamental design for a front face of a vehicle wheel,
as shown and described.

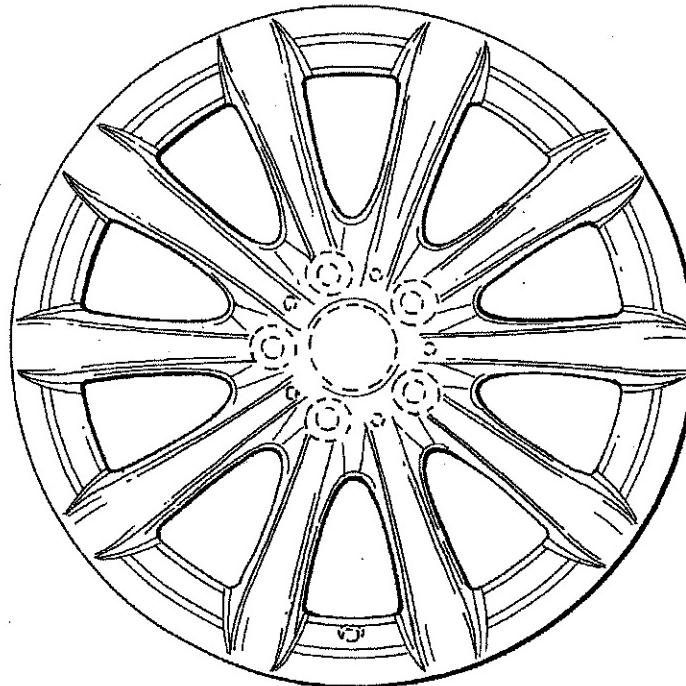
DESCRIPTION

FIG. 1 is a front view of a front face of a vehicle wheel
according to my novel design; and,

FIG. 2 is a perspective view thereof.

The broken lines are for illustrative purposes only and form
no part of the claimed design.

1 Claim, 1 Drawing Sheet



U.S. Patent

Sep. 26, 2006

US D528,962 S

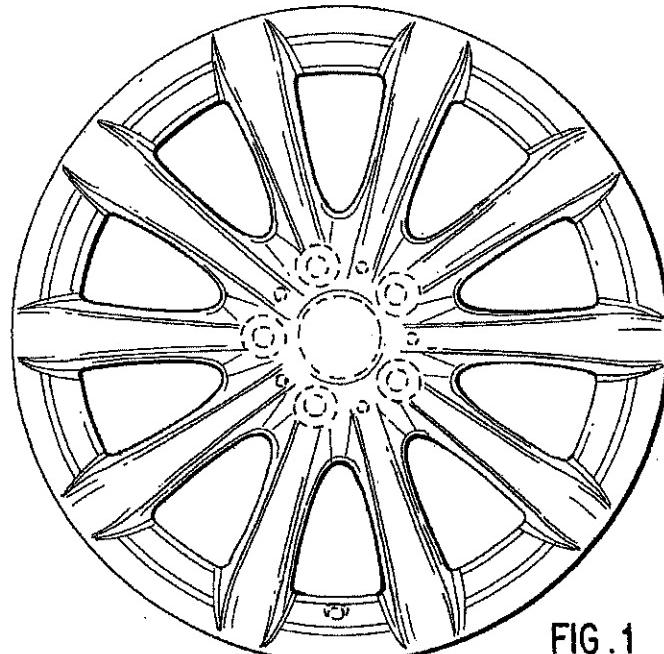


FIG. 1

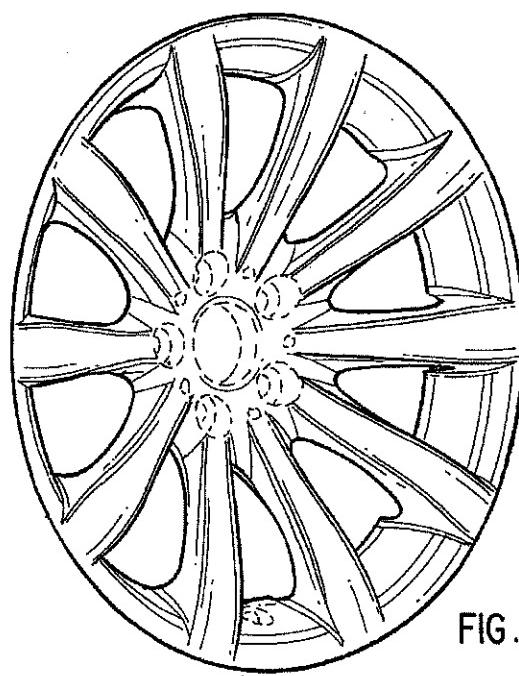


FIG. 2

U.S. Patent

Oct. 9, 2001

US D449,028 S

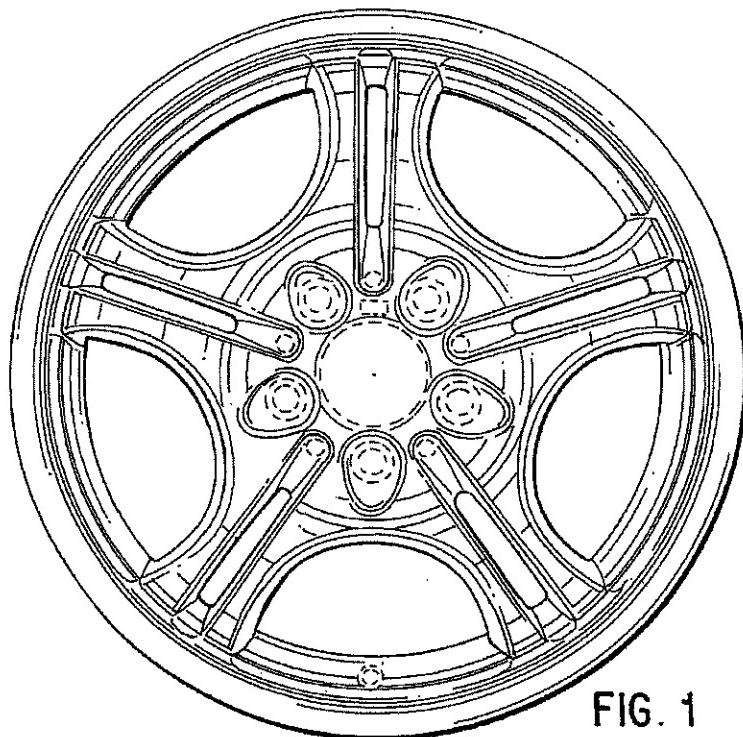


FIG. 1

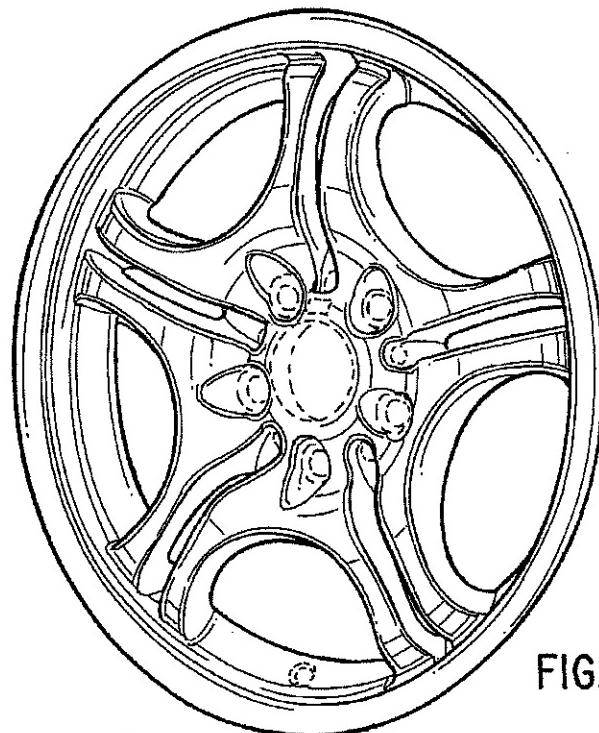
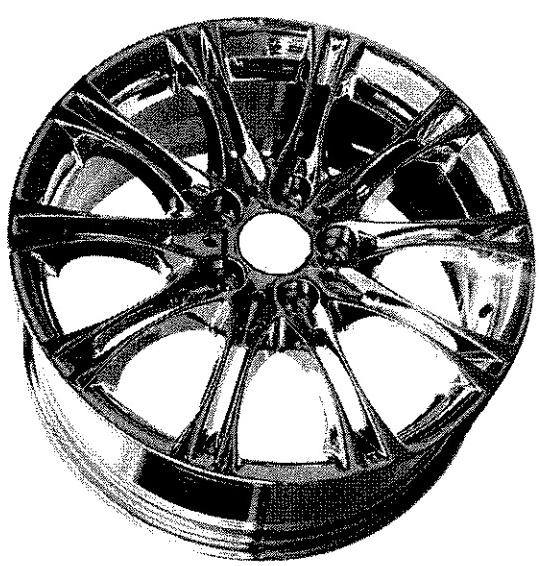
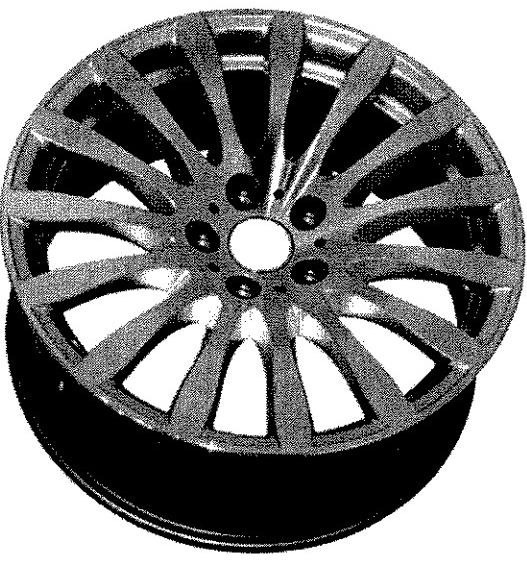


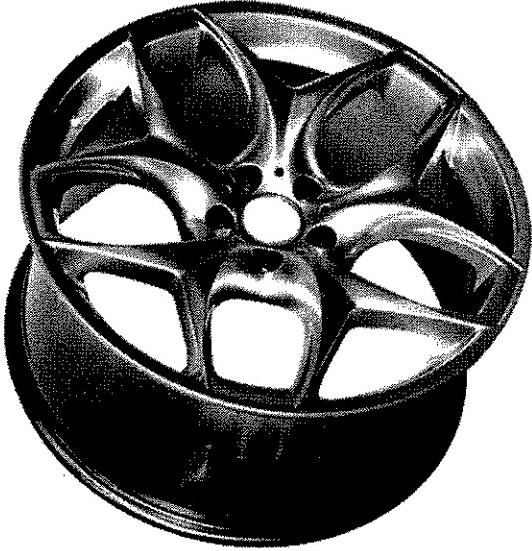
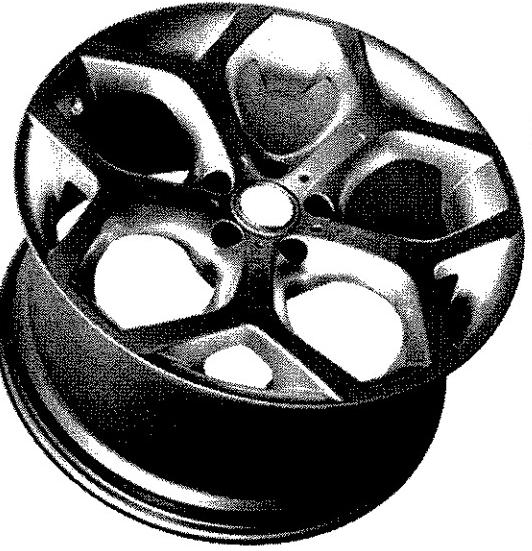
FIG. 2

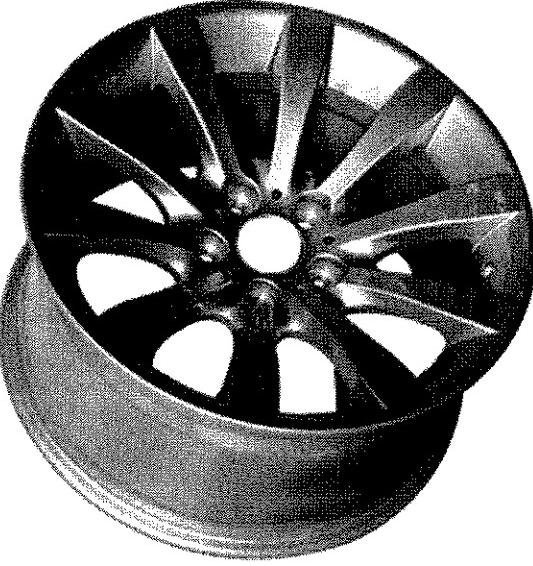
EXHIBIT C

Image	Asserted BMW Design Patent U.S. D514,999	U.S. D493,404
	 A black and white photograph of a BMW wheel with a multi-spoke design. The spokes are thick and angular, creating a distinctive star-like pattern. The center of the wheel features a central hub cap.	 A black and white photograph of a BMW wheel with a multi-spoke design. The spokes are thin and curved, giving it a more delicate appearance than the first wheel. The center of the wheel features a central hub cap.
	A	B

Asserted BMW Design Patent	U.S. D515,491	U.S. D470,093
Image		
	C	D

Asserted BMW Design Patent	U.S. D504,382	U.S. D532,358
Image		
	E	F

Asserted BMW Design Patent	U.S. D558,114	U.S. D560,585
Image		
	G	H

Asserted BMW Design Patent	U.S. D528,962	U.S. D449,028
Image		
I		J